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THE
H I S T O R Y
OF THE
PROGRESS AND TERMINATION
OF THE
ROMAN REPUBLIC.

By ADAM FERGUSON, LL. D.

PROFESSOR OF MORAL PHILOSOPHY IN THE
UNIVERSITY OF EDINBURGH.

A N E W E D I T I O N.

V O L. I.

B A S I L:

Printed and sold by J. J. TOURNEISEN.

M D C C X C I.

246/48/26

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TO THE
K I N G.

SIR,

THE History of the Romans, collected from the remains of ancient Authors, has been often written in the different languages of Europe. But a relation worthy of the subject, simple and unambitious of ornament, containing in the parts an useful detail, and in the whole a just representation of the military conduct and political experience of that people, appeared to me to be still wanting.

Having earnestly endeavoured to supply this defect, at least in what relates to the later times of the Republic, the intention,

I hope, joined to the importance of the matter, will justify my humble desire to inscribe this Performance to your MAJESTY.

I am, with the most profound Respect,

S I R,

YOUR MAJESTY'S

Most faithful Subject, and
Most obedient humble Servant,

EDINBURGH,
February 1, 1783.

ADAM FERGUSON.

ADVERTISEMENT.

THE reader will be pleased to observe, with respect to the geographical names used in the following History, that the Author has endeavoured to conform himself to common practice. This is so various as not to admit of any general rule. *Rome, Athens, Italy, and Greece* are used for *Roma, Athenæ, Italia; & Grecia*; but *France, Hungary, and Savoy*, are not used for *Gaul, Panonia, or the Allobroges*. Cities and races of men have changed so much, that we cannot employ modern names in speaking of the ancients, except where custom absolutely requires it. But the natural features of the earth, as rivers, seas, and mountains, being unchanged, are expressed by the modern name, except where they are better known by their ancient appellations, as in the geography of

A V E R T I S E M E N T.

Greece, Asia, and Africa, This mixture of ancient and modern language may appear exceptionable; but it is hoped that the general intention, to render the subject as clear as possible, will be an excuse for any particular difference of opinion in the choice of names.

C O N T E N T S.

C O N T E N T S.

B O O K I.

C H A P. I.

*T*HE Subject.—Supposed Origin of the Roman State.
— Its Government. — The King. — Senate. — People.
Curia. — Centuri^{es}. — Tribes. — Religion. — The Tri-
umph. — Original Maxims. — Progress of the State
under its Kings. — Change to a Republic. page 1.

C H A P. II.

Form of the Republic. — Dissension of Parties. — First
Dictator. — Secession of Plebeians. — Tribunes of the
People. — Their Objects. — Distribution of Corn. —
Division of Lands. — Pretensions of the Plebeians. —
Commission to compile Laws. — Decemvirs. — Twelve
Tables. — Intermarriage of Ranks. — Claim of the
Plebeians to the Consulate. — Military or Consular
Tribunes. — Censors. — Ædiles. — Præfectus Annonæ.

CONTENTS.

*Fortune of the Republic. — Reduction of Veia —
Destruction of Rome by the Gauls — Rebuilding of the
City.* page 23.

CHAP. III.

*Scene of foreign War and domestic Dispute opened with
reviving Rome. — Faction or Conspiracy of Manlius.
— Condemnation. — Plebeians elected into the Office
of Consular Tribunes. — Aspire to the Consulate. —
The first Plebeian Consul. — Establishment of the
Prætor. — Patrician Ediles. — The Plebeians qualified
to hold all the Offices of State. — The Measure of
Roman Magistracy complete. — Review of the Con-
stitution. — Its seeming Defects. — But great Suc-
cesses. — Policy of the State respecting foreign or van-
quished Nations. — Formation of the Legion. — Series
of Wars. — With the Samnites, Campanians. — The
Tarentines. — Pyrrhus. — Sovereignty of Italy. — Dif-
ferent Footing on which the Inhabitants stood. 77.*

CHAP. IV.

*Limits of Italy. — Contiguous Nations. — Ligurians. —
Gauls. — Greek and Phœnician Colonies of Gaul and
Spain. — Nations of Illyricum. — Of Greece. —
Achaean League. — Thebans. — Athenians. — Asiatic
Nations. — Pergamus. — Syria. — Egypt. — Carthage.
— The Mamertines of Messina. — Occasion of the first
War with Carthage. — Losses of the Parties. —
Peace. — State of the Romans. — Political or Civil*

CONTENTS.

Institutions. — Colonies. — Musters. — Operation on the Coin. — Increase of the Slaves. — Gladiators. — Different Results of the War at Rome and Carthage. — Mutiny and Invasion of the Mercenaries at Carthage. — End of this War. — Cession of Sardinia. — War with the Illyrians. — First Correspondence of Rome with Greece. page 111.

CHAP. V.

Progress of the Romans within the Alps. — Origin of the second Punic War. — March of Hannibal into Italy. — Progress. — Action on the Tecinus. — On the Trebia. — On the Lake Trasimene, — Battle of Cannæ. — Hannibal not supported from Carthage. — Sequel of the War. — In Italy. — And Africa. — Scipio's Operations. — Battle of Zama. — End of the War. 142.

CHAP. VI.

State of Rome at the Peace with Carthage. — Wars with the Gauls. — With the Macedonians. — Battle of Cyncephalæ. — Peace. — Freedom to Greece. — Preludes to the War with Antiochus. — Flight of Hannibal to that Prince. — Antiochus passes into Europe. — Dispositions made by the Romans. — Flight of Antiochus to Asia. — His defeat at the Mountains of Sipylus. — Peace and Settlement of Asia. — Course of Roman Affairs at Home, &c. 226.

CONTENTS.

CHAP. VII.

State of Italy. — Character of the Roman policy. — Death of Scipio and of Hannibal. — Indulgence of the Romans to the King of Macedonia. — Complaints against Philip. — Succession of Perseus, and Origin of the War. — Action on the Peneus. — Overtures of Peace. — Progress of the War. — Defeat of Perseus at Pydna, by Paulus Emilius. — His flight and Captivity. — Settlement of Macedonia and Illyricum. — Manners of the Romans. page 272.

CHAP. VI.

State of Rome at the Peace with Carthage. — War with the Gauls. — With the Macedonians. — Battle of Cynoscephalæ. — Peace. — Freedom to Greece. — Prelude to the War with Antiochus. — Flight of Antiochus to that Prince. — Antiochus passes into Europe. — Operations made by the Romans. — Flight of Antiochus to Asia. — His defeat at the Mountains of Taurus. — Peace and Settlement of Asia. — Course of Roman Affairs at Home, &c.

THE



THE
HISTORY
OF THE
PROGRESS AND TERMINATION
OF THE
ROMAN REPUBLIC.

BOOK I.

CHAP. I.

*The Subject. — Supposed Origin of the Roman State.
— Its Government. — The King. — Senate. — People.
Curia. — Centuries. — Tribes. — Religion. — The Tri-
umph. — Original Maxims. — Progress of the State
under its Kings. — Change to a Republic.*

THE Roman State was originally a small prin-
cipality, and one of the many little cantons,
which, under the denomination of Latins, occupied
the left of the Tiber, from its confluence with the Anio

2 THE PROGRESS AND TERMINATION

BOOK to the Sea, and from Ostia to Circeii on the coast.

I. Within this narrow tract, reaching in breadth inland no more than sixteen miles, and extending on the coast about fifty miles, the Latins are said to have formed no less than forty-seven independent states¹; each of whom had a separate capital or strong hold, to which they occasionally retired for safety, with their cattle and other effects, and from which they made frequent wars on each other². The country, divided into so many separate territories, we may consider as resembling some of the lately discovered islands in the Southern or Pacific Ocean³, where every height is represented as a fortress, and every little township, that can maintain its possessions, as a separate state. Among settlements of this description, the Romans, though they were originally no way distinguished in point of possessions or numbers, yet, in consequence of some superiority of institution or character, they came to have a decided ascendant.

Beyond the Tiber on the one hand, and the Liris on the other, the contiguous parts of Italy were possessed, in the same manner with Latium, by different races of men, who, under various denominations of Etrurians, Samnites, Campanians, and others, formed a multiplicity of little nations, united by leagues for common safety, and ranged under opposite interests, with a view to some balance

¹ Dionys. Halicar. lib. iv.

² Liv. lib. i. c. 5, &c.

³ See Cook's Voyage to New Zealand.

of power which they endeavoured to maintain. C H A P.
 The peninsula towards one extremity ⁴, was from I.
 time immemorial peopled with Grecian colonies.
 Towards the other, it was, in the first ages of
 the Roman state, over-run by nations of Gaulish
 extraction ⁵.

The land throughout, in respect to situation, climate, and soil, was highly favored, diversified with mountain and plain, well wooded and watered, replenished with useful materials, fit to yield pasture for numerous herds, and to produce abundance of corn, wine, and oil. And, what is still of more importance, was already become the flourishing nursery of ingenious men, ardent and vigorous in their pursuits, though, in respect to many arts and inventions, yet in a state of great simplicity or ignorance.

The Romans, who made their first step to dominion by becoming heads of the Latian confederacy, continued their progress to the sovereignty of Italy; or, after many struggles with nations possessed of resources similar to their own, united the forces of that country under their own direction, became the conquerors of many kingdoms in Asia and Africa, as well as in Europe; and formed an empire, if not the most extensive, at least the most splendid of any that is known in the history of mankind. In possession of this seeming advantage, however, they were unable to preserve their own institutions; they

⁴ Magna Græcia.

⁵ Gallia Cisalpina.

4 THE PROGRESS AND TERMINATION

BOOK I. became, together with the conquests they had made, a prey to military government, and a signal example of the vicissitudes to which prosperous nations are exposed.

This mighty state, remarkable for the smallness of its origin, as well as for the greatness to which it attained, has, by the splendor of its national exertions, by the extent of its dominion, by the wisdom of its councils, or by its internal revolutions and reverses of fortune, ever been a principal object of history to all the more enlightened nations of the western world. To know it well, is to know mankind; and to have seen our species under the fairest aspect of great ability, integrity, and courage. There is a merit in attempting to promote the study of this subject, even if the effect should not correspond with the design.

Under this impression the following narrative was undertaken, and chiefly with a view to the great revolution, by which the republican form of government was exchanged for despotism; and by which the Roman people, from being joint sovereigns of a great empire, became, together with their own provinces, the subjects, and often the prey, of a tyranny which was equally cruel to both.

As in this revolution men of the greatest abilities, possessed of every art, and furnished with the most ample resources, were acting in concert together, or in opposition to each other, the scene is likely to exhibit what may be thought the utmost range or extent of the human powers; and to furnish those

OF THE ROMAN REPUBLIC. 5

who are engaged in transactions any way similar, with models by which they may profit, and from which they may form sound principles of conduct, derived from experience, and confirmed by examples of the highest authority. C H A P.
I.

The event which makes the principal object of this History, has been sometimes considered as a point of separation between two periods, which have been accordingly treated apart—the period of the republic, and that of the monarchy. During a considerable part of the first period, the Romans were highly distinguished by their genius, magnanimity, and national spirit, and made suitable attainments in what are the ordinary objects of pursuit—wealth and dominion. In the second period they continued for some time to profit by the attainments which were made in the former, and while they walked in the tract of the commonwealth, or practised the arts and retained the lessons which former ages had taught, still kept their possessions. But after the springs of political life, which were wound up in the republic, had some time ceased to act; when the state was become the concern of a single person, and the vestiges of former movements were effaced, the national character declined, and the power of a great empire became unable to preserve what a small republic had acquired. The example, whether to be shunned or imitated, is certainly instructive in either period; but most so in the transition that was made from one to the other; and in the forfeiture of those public advantages, of which the Roman people, in some part of their course,

6 THE PROGRESS AND TERMINATION

BOOK

I.

availed themselves with so much distinction, and which, in the sequel, they abused with so much disorder at home, and oppression of their subjects abroad.

With this object before me, I hasten to enter on the scenes in which it begins to appear; and shall not dwell upon the history of the first ages of Rome; nor stop to collect particulars relating to the origin and progress of the commonwealth, longer than is necessary to aid the reader in recollecting the circumstances which formed the conjuncture in which this interesting change began to take place.

For this purpose, indeed, a general description of the state and its territory, such as they were in the beginning of this transaction, might have been sufficient; but as it is difficult to fix the precise point at which causes begin to operate, or at which effects are complete, I have indulged myself in looking back to the origin of this famous republic, whether real or fabulous, and shall leave the reader to determine, at what time he will suppose the period of authentic history to begin, or at what time he will suppose the causes of this revolution to operate, and to produce their effects.

As it is impossible to give, in mere description, a satisfactory account of a subject which is in its nature progressive and fluctuating, or to explain political establishments without some reference to the occasions from whence they arose, I have, upon these accounts, endeavoured to give, even to the first part of my labors, the form of narration;

and, together with the progress of political institutions in the state, remarked its territorial acquisitions and conquests, in the order in which they were made. In proportion as the principal object of the history presents itself, I shall wish, as far as my talents and the materials before me allow, to fill up the narration, and give to every scene of the transaction its complete detail. When this is done, and the catastrophe is passed, I shall wish again to contract my narration; and as I open with a summary account of what preceded my period, close with a similar view of its sequel.

The Romans are said to have made their settlement in the end of the sixth, or beginning of the seventh Olympiad⁶ about two hundred years before the accession of Cyrus to the throne of Persia, seven hundred years before the Christian Æra, and long before the date of any authentic profane history whatever. The detail of their story is minute and circumstantial; but on this account is the more to be suspected of fiction: And in many parts, besides that of the fable, with which it is confessedly mixed, may, without any blameable scepticism, be rejected as the conjecture of ingenious men, or the embellishments of a mere tradition, which partakes in the uncertainty of all other profane history of the same times, and labors under the obscurity which hangs over the origin of all other nations⁷.

⁶ Dionys. Hal. lib. i.

⁷ Liv. lib. vi.

8 THE PROGRESS AND TERMINATION

BOOK

I.

That the Roman state was originally a small one, and came by degrees to its greatness, cannot be doubted. So much we may safely admit on the faith of tradition, or in this instance, infer, from the continuation and recent marks of a progress which the people were still making, after they became an object of observation to other nations^{*}, and after they began to keep records of their own: That they had been an assemblage of herdsmen and warriors, ignorant of letters, of money, and of commercial arts, enured to depredation and violence, and subsisting chiefly by the produce of their herds, and the spoils of their enemies, may be safely admitted; because we find them, in the most authentic parts of their history, supplying these defects, and coming forward in the same direction, and consequently proceeding from the same origin, with other rude nations; being, in reality, a horde of ignorant barbarians, though likely to become an accomplished nation.

In the first accounts of their settlement, it is said that they mustered three thousand men on foot and three hundred on horseback[†]. Their establishment being effected by surprise or by force, and their people consisting of armed men who had every acquisition to make at the expense of their neighbours, they were naturally in a state of war with the country around them. They took post on the Palatium, a small height on the Tiber, which,

^{*} Dionys. Hal. lib. i.

[†] Liv. lib. i. c. 4.

according to former traditions, had been previously occupied by five different races of men, who, in a country so precariously settled, were frequently changing their places ¹⁰. Their city was the first model of a Roman camp, fortified with a square breast-work and ditch, to serve as an occasional retreat to themselves and their cattle. Their leader, or chief, was the sole magistrate or officer, either civil or military. The members of the commonwealth were distinguished into different classes or ranks, under the names of Patrician and Plebeian, Patron and Client. "The Patron," says Dionysius, "was to protect, to give counsel; and, whether present or absent, was to his clients what the father is to his family. The Clients, in return, were to contribute to the support of their Patron, to aid him in placing his children in marriage; and, in the case of his being taken by an enemy, were to pay his ransom; or of his being condemned in a fine, were to discharge it for him".

The limits of prerogative and privilege, as in other rude societies, were yet imperfectly marked. It was the prerogative of the king to lead in war, and to rule in peace; but it is probable that he no more wished to deliberate, than to fight alone; and, though he may have done either occasionally, yet numbers of his followers were ever ready to attend him in both. The people acknowledged him as

¹⁰ Dionys. Hal. lib. i.

¹¹ Ibid. lib. ii. c. 10.

10 THE PROGRESS AND TERMINATION

BOOK

I.

their leader, or prince; but they themselves, as in other instances of the same kind, were accustomed, on remarkable occasions, to assemble; and, without any concerted form of democracy, became the sovereign power, as often as their passions engaged them to act in a body. The superior class of the people as naturally came to have their meetings apart, and may have assembled frequently, when the occasion was not sufficient to require the attention of the whole ¹². Hence probably the establishments of the senate and of the popular assemblies, which were called the *Comitia*, and were both of so early a date as to be ascribed to the first of their kings ¹³.

Even this founder of the state, we are told, was distinguished by his ushers or lictors carrying before him the axe and the rods, as the emblems of his power, and the instruments of his justice. The names of the senators were entered in a list, and they were separately called to their meetings. Assemblies of the people were intimated by the sound of a horn. The citizens were distinguished into *Curiae*, *Centuries*, and *Tribes*; divisions under which they formed their several compartments, for military array, religious ceremonies, or political deliberations. When met to decide on any public question, each division apart collected the votes of its members, from thence formed a vote for the

¹² De minoribus rebus Principes, de majoribus omnes consultant. Tacit. de Moribus Germ.

¹³ Dionys. lib. 1.

Curia or Century; and, by the majority of these, determined the whole. The Curiae were fraternities, or divisions of the people, which met for the performance of religious rites: each had its separate priest, and place of assembly. When the Curiae were called on matters of state, they retained part of their religious forms; opened their meeting with observing the auspices, or signs of futurity; and if these were unfavorable, could not proceed on business. The Augurs, therefore, in this mode of assembly, had a negative on the proceedings of the People.

The Centuries were formed on a more artful idea, to make power accompany wealth. The people were divided into classes, according to the rate of their fortunes: each class was divided into Centuries; but the number of Centuries in the different classes was so unequal, that those of the first or richest class made a majority of the whole; and when the Centuries of this class were unanimous, they decided the question. By this institution, the rich were masters of the legislature, though not without some compensation to the poor, as the several classes were charged with taxes and public services, in the same proportion in which they were vested with power.

The people, when thus assembled, were distinguished in their classes by their ensigns and arms, and, though called together on political affairs, were termed the army ¹⁴.

¹⁴ Dionys. Hal. lib. iv. c. 16, 17, 18. Liv. lib. i. c. 43.

12 THE PROGRESS AND TERMINATION

BOOK

I.

In the first ages of this principality or commonwealth, the meetings of the people were held first by Curiaë, and afterwards by Centuries. The practice of voting by Tribes was of a later date than either, and was the device of a popular party to exclude the auspices, to level the condition of ranks, and by these means to turn the channels of power in their own favor. The people were formed into their Classes and Centuries, to elect their officers, to enact laws, or to deliberate on other affairs of state; but they did not without struggle or contest always acquiesce in this mode of assembly. The poorer citizens often insisted to be called in the Curiaë, and afterwards in the tribes, to decide on affairs which the rich would have referred to the Centuries alone. The question on these occasions went to the foundation of the constitution, and implied a doubt whether the state was to be governed by the balance of numbers, or the balance of property¹⁵.

¹⁵ State of the Classes and Centuries at the establishment of the Census:

Class.	Roman.	Valuation.		No. of Cent.
		l.	s.	
1.	100,000	322	18	98
2.	75,000	242	3	21
3.	50,000	161	9	21
4.	25,000	80	14	21
5.	11,000	35	10	31
6.	—	—	—	1
Total	-	-	-	193
First Class	-	-	-	98
				From
				98 Sub.
				95
Majority of the first Class				3

To these original springs of the political frame may be joined those of religion, which in all governments must have a considerable force; and in this has always been supposed a principal power to regulate its movements. Here indeed, there being no distinction of clergy and laity, the authority of the statesman, augur, and priest, was united in the same persons, or in the same orders of men: and as, in the mind of every citizen, notwithstanding the high measure of his superstition, the sword of state was preferred to the altar, the politician and warrior availed himself of the respect which was paid to the priest, and made superstition itself subservient to the purposes of state. With presages and prodigies he encouraged or restrained the people in their desires and pursuits; he bound them with vows and with oaths, to a degree that has not been equalled by mankind in any other instance; and, with reference to this circumstance in particular, it has been observed, that the seeds of Roman greatness were laid in the implicit respect with

A property of 100,000 asses or pounds of copper entitled the owner to a place in the first Class, 75,000 to a place in the second, 50,000 to a place in the third, 25,000 to a place in the fourth, 11,000 to a place in the fifth, and the remainder of the people, having no valuation, or having less than that of the fifth Class, were thrown into the sixth or last Class. The whole were divided into 193 Centuries, of which the first Class contained 80 Centuries of foot, and 18 of horsemen, in all 98; being a majority of the whole. The sixth Class formed no more than one Century, as appears from the inspection of the preceding table.

14 THE PROGRESS AND TERMINATION

BOOK

I.

which every citizen revered the first institutions of his country ¹⁶.

The wants by which the Romans were impelled in the first state of their settlement, made it necessary for them to vanquish some of their neighbours, or to perish in the attempt. Valor, accordingly, in their estimation, was the principal quality of human nature, and the defeat of an enemy the chief of its fruits. Every leader who obtained a victory made his entry at Rome in procession; and this gave rise to the triumph, which continued, from the first to the last age of the commonwealth, to be the highest object of ambition.

Historians, admiring the effect of this and of other practices of an early date among the Romans, have represented their founder, and his immediate successors, as philosophers, statesmen, and able tutors, who, with a perfect foresight of the consequences, suggested the maxims which gave so happy a turn to the minds of men in this infant republic. They are said to have taught, that by frugality and valor the Romans were to conquer the world: that they ought not to lay waste the lands which they conquered, but to possess them with colonies of their own people: that they ought not to slay the vanquished, but transport their captives to Rome, as an accession to the number of their own citizens: that they ought not to make war without provocation, nor to commence hostilities until they had demanded and had been refused

¹⁶ See Machiavel's Discourses on Livy.

reparation of wrongs. In whatever degree we suppose these maxims to have been expressed or understood in the councils of Rome, it is certain that the successful conduct of the state in these particulars was sufficient to have suggested the idea that they were known.

To the other fortunate customs which may be traced up to those early times of the state, we may join that of the Census, by which the people, at every period of five years, took a regular account of the numbers and estates of their citizens, as the best measure they could have of their own progress or decline, and the surest test of their policy and conduct as a nation.

The Romans reckoned in the first period of their history a succession of seven kings¹⁷, to each of whom they ascribed the invention of their several institutions. To Romulus, the mixed form of their government, the establishment of the senate and assemblies of the people, the ranks of Patrician and Plebeian, the relations of patron and client. To Numa, the religion of the people, and their regard to oaths. To Servius Tullius, the Census, or periodical muster; and so on. But whether we suppose these institutions to have been the suggestion of particular occasions, or the invention of ingenious men, directed by a deep premeditation of all their effects, there is no doubt that such institutions existed in very early times, and

¹⁷ Romulus, Numa, Tullus Hostilius, Ancus Martius, Tarquinius Priscus, Servius Tullius, Tarquinius Superbus.

16 THE PROGRESS AND TERMINATION

BOOK
I. served as the foundation of that policy which distinguished the Roman state.

The monarchy of Rome is said to have lasted two hundred and forty-four years, a period in which the numbers of the people, and the extent of their settlement, had greatly increased. During this period, they had drawn many of their neighbours to Rome, and sent many of their own people to occupy settlements abroad. By the enrolment of aliens, they procured a certain increase of people; and by spreading their colonies around, they made acquisitions of territory, and extended the nursery of Roman citizens. We find, nevertheless, that, by the last part of this policy, they incurred a danger of losing the people whom they thus established or bred up in new settlements, however little removed from the metropolis. Men had not yet learned to consider themselves as the citizens of one place, and inhabitants of another. In departing from Rome, the Colonists ceased to be enrolled in any tribe or ward of that city, or of its district; or to be ranked in any class of the people. They ceased, of course, to be called upon to vote in any of the assemblies, which they no longer attended. They formed notions of an interest separate from that of their original country, so much, that the colonies which had been planted by one prince, resisted the power of his successors; and conquests, where the Roman citizens were mixed with the natives, in order to keep them in subjection, were sometimes in danger of being lost. The colony itself took a part in the discontents of the people they were sent to restrain,
and

and became parties with the vanquished in their quarrel with the victors ¹⁸. But, notwithstanding frequent instances of this sort among the Roman colonies, the memory of their descent and the ties of consanguinity, the pride of their distinction as Romans, the capacity which every colonist retained of returning to Rome, and of being reinstated in the rolls of the people, for the most part preserved their attachment to Rome, and made them still a part of her strength, and a principal source of her greatness.

C H A P.

I.

During this period of the kingly government, the numbers that were enrolled in the city and its territory increased from three thousand and two hundred to eighty thousand men of an age fit to carry arms ¹⁹. The number of Roman tribes or wards of the city was augmented from three to twenty-one. The kingdom itself extended over the greater part of Latium, and had an intimate alliance with the whole of it. The city of Rome was become the principal resort of all the Latin confederates, the place of their meetings for devotion or pleasure, and the seat of their political consultations ²⁰.

To accommodate and secure this populous and growing community, several of the heights contiguous to their original settlement were, during the same period, successively occupied, the marshes be-

¹⁸ Liv. lib. iii. c. 4.

¹⁹ Liv. lib. i. c. 44.

²⁰ Dionys. Hal. lib. iv. p. 250.

18 THE PROGRESS AND TERMINATION

BOOK I.

tween them were drained by excavations and works of great magnificence, of which a considerable part is still entire. The city itself, instead of an earthen rampart, was surrounded with towers and battlements of hewn stone ²¹.

²¹ The stones employed in building the walls of Rome were said each to have been sufficient to load a cart.

The common sewers were executed at a great expense. It was proposed that they should be of sufficient dimensions to admit a waggon loaded with hay (Plin. lib. xxxvi. c. 15.). When these common sewers came to be obstructed, or out of repair, under the republic, the Censors contracted to pay a thousand talents, or about 193,000*l.* for clearing and repairing them (Dionys. Hal. lib. iii. c. 67.). They were again in disrepair at the accession of Augustus Cæsar, and the reinstating them is mentioned among the great works of Agrippa. He is said to have turned the course of seven rivers into these subterraneous passages, to have made them navigable, and to have actually passed in barges under the streets and buildings of Rome. These works are still supposed to remain; but, as they exceed the power and resources of the present city to keep them in repair, they are quite concealed, except at one or two places. They were, in the midst of the Roman greatness, and still are, reckoned among the wonders of the world (Liv. lib. i. c. 38); and yet they are said to have been works of the elder Tarquin, a prince whose territory did not extend, in any direction, above sixteen miles; and, on this supposition, they must have been made to accommodate a city that was calculated chiefly for the reception of cattle, herdsmen, and banditti. Rude nations sometimes execute works of great magnificence, as fortresses and temples, for the purposes of war and superstition; but seldom palaces, and still more seldom works of mere convenience and cleanliness, in which, for the most part, they are long defective. It is not unreasonable, therefore, to question the authority of tradition in respect to this singular monument

C H A P.

I.

Change to
republic.

So far it appears, that while every successive prince gratified his own ambition by subduing some neighbouring district or village, and brought an accession of riches or territory to his country, the genius of monarchy was favorable to the growth of this rising empire. But when princes became fatigued with conquests abroad, or began to meditate schemes to increase their own importance at home, their ambition took a different direction, and led them to aim at making the kingdom hereditary, and the people more subservient to their pleasure. Under this direction of the monarch's ambition, the state, as Montesquieu observes, was likely to become stationary, or even to decline. A revolution became necessary, in order to preserve it in its former progressive state.

of antiquity, which so greatly exceeds what the best accommodated city of modern Europe could undertake for its own convenience. And as those works are still entire, and may continue so for thousands of years, it may be suspected that they were even prior to the settlement of Romulus, and may have been the remains of a more ancient city, on the ruins of which the followers of Romulus settled, as the Arabs now hut or encamp on the ruins of Palmyra and Balbeck. Livy owns, that the common sewers were not accommodated to the plan of Rome, as it was laid out in his time; they were carried in directions across the streets, and passed under buildings of the greatest antiquity. This derangement, indeed, he imputes to the hasty rebuilding of the city after its destruction by the Gauls; but haste, it is probable, would have determined the people to build on their old foundations or at least not to change them so much as to cross the direction of former streets.

20 THE PROGRESS AND TERMINATION

BOOK

I.

U. C. 244.

Such a revolution, we are told, took its rise from the resentments of the people, excited by abuses of power, and was hastened by a momentary indignation, roused by an insult offered by a son of the king to a Roman matron. As the political evils which this revolution was intended to remedy were, *the state of degradation and weakness to which the Senate had been reduced, the usurpation of hereditary succession to the crown, and the general abuses of government*, suitable remedies were sought for to these evils, by restoring the numbers and power of the Senate, by abolishing the royalty, and by substituting in its place an elective and temporary magistracy.

The principal part of the revolution consisted in substituting the Consuls, two annual magistrates, in place of the King. These officers were chosen in the assembly of the Centuries. The officer who was to preside at the election erected his standard, and pitched his tent in the field of Mars²², a meadow which lay on the banks of the Tiber, above the city. The people repaired to him in arms, and, distinguished by the ensigns and armour of their different classes, proceeded to make their election.

That the city might not be surprised while its defenders were thus abroad in the fields, a guard was posted, with its colors displayed, on the Janiculum, a hill on the right of the Tiber, which overlooked the river and contiguous plains. If

²² Campus Martius.

an enemy appeared during the election, the guard had orders to strike their ensign; and on this signal every Century repaired to its post of alarm, and questions of state were suspended until the danger was removed. As it became an article of superstition, that the Centuries could not proceed in any business without having an ensign displayed on the Janiculum, it was in the power of any person, by striking the ensign, to break up an assembly of the people: and this expedient for stopping the progress of any business was accordingly made use of at different times to the end of the republic ²³.

It was meant that the Consuls should succeed to all the powers of the King; and in order to enforce their authority, a penalty of five oxen and two sheep was denounced against every person who refused to obey them ²⁴. Their joint and divided command, with the limited term of one year, which was to be the duration of their power, were thought sufficient securities against the abuse of it.

The government, by this revolution, devolved on the senate and nobles. The Plebeians, in the first formation of it, were favored by the admission of a certain number of their order to fill up the senate, which had been reduced in its numbers by the tyranny of the late king; and they were declared, in case of any oppression, to have a right of appeal from any sentence or command of the ma-

²³ See Book III. Chap. III.

²⁴ Plutarch. in Vit. Poplicolæ.

22 THE PROGRESS AND TERMINATION

BOOK gistrate to an assembly of the people at large.
I. This was understood to be the great charter of every citizen. But the Patricians alone could be chosen into the newly established offices of state. They alone were to furnish the ordinary succession of members to the senate, and, by their enrolment in the first and second classes, to have a decided majority in all the meetings or *comitia* of the Centuries²⁵; that is, in all assemblies of the people that were called to elect officers of state, to enact laws, or to judge of appeals. By these several provisions in their favor, they were in possession of a complete aristocracy, which they claimed as hereditary in their families, but which they were not likely to retain, without much discontent and animosity on the part of their subjects.

²⁵ Dionys. Hal. lib. v.

C H A P. II.

Form of the Republic. — Dissension of Parties. — First Dictator. — Secession of Plebeians. — Tribunes of the People. — Their Objects. — Distribution of Corn. — Division of Lands. — Pretensions of the Plebeians. — Commission to compile Laws. — Decemvirs. — Twelve Tables. — Intermarriage of Ranks. — Claim of the Plebeians to the Consulate. — Military or Consular Tribunes. — Censors. — Ædiles. — Præfectus Annonæ. Fortune of the Republic. — Reduction of Veie — Destruction of Rome by the Gauls — Rebuilding of the City.

THE government of Rome, as it is represented after the expulsion of the king, was become entirely aristocratical. The nobles had the exclusive possession of office, without any third party to hold the balance between themselves and the people. The Consuls were the sole executive magistrates, and the only ministers of the senate; they were understood to come in place of the king; performed all the functions of royalty; and, in the manner of the kings, to whom they succeeded, united in their own persons all the dignities of the state, those of Judge, Magistrate, and Military Leader.

Such, at the first institution of the commonwealth, was, both in respect of government and

C H A P.

II.

U. C. 244.

24 THE PROGRESS AND TERMINATION

BOOK

I.

manners, the simplicity or rudeness of this community. The People, however, in their new situation, were gradually and speedily led, by the accumulation of their affairs, by the contest of their parties, and by the wants of the public, to a variety of establishments, in which they separated the departments of state, more equally distributed its powers, filled up the lists of office, and put themselves in a posture to wield with advantage their strength as it increased, and to avail themselves of every circumstance that occurred in their favor.

While the exiled king was endeavouring, by continual invasions, to recover his power, disputes arose between the parties who had joined to expel him¹; creditors, supported by the aristocracy, of

¹ In these original disputes between the Patricians and Plebeians at Rome, it is implied that they frequently or commonly stood in the relation of creditor and debtor, as well as of patron and client. And we may account for this circumstance in either of two ways: First, by supposing that the client was in some degree, tributary to his patron, as the vassal was tributary to his lord in the original state of modern nations. Dionysius of Halycarnassus has laid some foundation for this supposition, in the passage above cited. Or we may suppose, in the second place, that the debts in question were money or effects actually borrowed by the client and lent by the patron. The first supposition is most agreeable to the manners of modern times; but the last is more likely to have been the fact in the original state of the Romans, and of ancient republics in general. Among them the great distinction of persons was that between freemen and slaves. The rich freeman was supplied with every thing he wanted by the labor of his slaves. The necessitous freeman toiled with his own hands in laboring a small piece of ground, or in tending a few beasts. He had no trade by which to supply the luxuries

which the nobles were now in full possession, became severe in the exaction of debts, or the patrons laid claim to more than the clients were willing to pay². The state was distracted at once by its enemies from abroad, and by the dissension of parties at home. The authority of the new government not being sufficient to contend with these difficulties, the senate resolved to place themselves and the commonwealth, for a limited time, under the power of a single person, who, with the title

U. C. 252.
or 255^{*}.

of the rich, or by which, as in modern times, to make them his debtors. When he wanted their aid he was obliged to borrow; and there was, perhaps, but one occasion on which he had credit for this purpose; when he was going to war, and when he both had a reasonable excuse for borrowing, and a probable prospect of being able to pay, perhaps with interest, from the spoils of an enemy. But when his hopes failed, he might become insolvent, and exposed to all the severities of which we read such complaints in the early part of the Roman History.

There is, throughout this History, sufficient evidence that the popular party were on the side of the debtor. The prejudices of this party operated against the exaction of debts. Their influence was employed in reducing the interest of money; in having it abolished, and in having it detested, under the invidious appellation of usury. They even strove, on occasion, to abolish debts: The result was far from being favorable to the necessitous borrower; he was obliged to pay for the risk, the penalties, and the obloquy to which the lender was exposed in transgressing the laws.

² Dionys. Hal. lib. 5.

* The date of the nomination of the first Dictator is uncertain. Liv. lib. ii. Some place it nine years after the expulsion of the Kings; Dionys. 12 years.

26 THE PROGRESS AND TERMINATION

BOOK
I.

of Dictator, or Master of the People³, should at his pleasure dispose of the state, and of all its resources.

This officer was invested with power to punish the disorderly without trial and without appeal; to arm the people, and to employ their forces on any service; to name his own substitute, or second in command; and to act without being, even at the expiration of his office, accountable either to the senate or to the people. The circumstances that were probably accidental in the first nomination of this extraordinary officer, were afterwards repeated as unalterable forms in every successive appointment of the same kind. It became the prerogative of the senate to resolve that a Dictator should be named, and of the Consul to name him. The ceremony was performed in the dead of night⁴; and as soon as the nomination was known, the Lic-tors, or ministers of justice, armed with their axes and rods, withdrew from the ordinary magistrate, to attend this temporary lord of the common-wealth.

This was the first political expedient to which the state was directed by the exigency of its new government. The precedent came to be repeatedly followed in times of calamity or public alarm, and the whole powers of the state were occasionally intrusted to single men, on the sole security of their personal characters, or on that of the short dura-

³ Magister Populi.

⁴ Liv. lib. viii. c. 20. & lib. ix. c. 28.

tion of their trust, which was limited to six months. This institution was devised by the senate, to repress the disorders which broke out among the people, and to unite the forces of the commonwealth against its enemies. The next was of a different nature, and was meant to protect the Plebeians against the oppression of their lords.

The inferior class of the people, almost excluded from any share in the new government, soon found that under its influence they had more oppression to fear from their Patrons, than they had ever experienced from the prince they had banished. So long as the king and the senate shared in the powers of the state, the one took part with the people, when the other attempted to oppress them; and it was the ordinary interest and policy of the prince to weaken the nobles, by supporting the Plebeians against them. This effect of the monarchy still, in some measure, remained, so long as the exiled king was alive, maintained his pretensions, and made the united services of the people necessary to the senate. During this period the Patricians were still on their guard, and were cautious not to offend the people; but upon the death of the king, and the security which the new government derived from this event, the nobles availed themselves of their power, and enforced their claims on the people with extreme severity. In the capacity of creditors, they imprisoned, whipped, and enslaved those who were indebted to them, and held the liberties and the lives of their fellow-citizens at their mercy.

28 THE PROGRESS AND TERMINATION

BOOK The whole body of Plebeians was alarmed; they
I. saw more formidable enemies in the persons of their own nobility, than in the armies of any nation whatever. When the republic was attacked, they accordingly refused to arm in its defence. Many who had already suffered under the rod of their creditors, when called upon to enlist, showed their limbs galled with fetters, or torn with the stripes which they had received by command of their merciless patrons.

These distractions, joined to the actual presence of a foreign enemy, obliged the senate to have recourse to their former expedient, and to intrust the republic again in the hands of a Dictator. Having succeeded in their first nomination, and having driven the enemy from their territories, they resorted to the same expedient again, on the return of a like occasion; but, in order to mix insinuation with the terrors of this measure, they made choice of Valerius, a person whose name was already known to the sufferers by some popular laws which they owed to his family. This officer had credit enough with the people to prevail on them to take arms, and had the good fortune to repel the enemy, by whom the state was invaded: But, upon his return, not being able to prevail on the senate to fulfil the hopes which he had given to the people, he made a speech to exculpate himself, and laid down his power. The citizens who had fought under his banner being still in the field, and, without any orders to disband, suspecting that the senate, under pretence of some war on the frontier, meant to

remove them from the city, ran to their arms; and, if they had not been restrained by their military oath, and the respect they paid to the government of their country, must have entered the gates by force. But, under the impression of these motives, they fled from the walls, instead of invading them, retired beyond the Anio, and took possession of a height about three miles from Rome⁵, afterwards known by the name of the Sacred Hill. Their officers followed, and endeavoured to persuade them to return to their duty; but were told, that no duty was owing to a government which had withdrawn its protection, and encouraged oppression; that free citizens own no country in which they are not permitted to enjoy their freedom. "To what purpose," said Sicinius Bellutus, who was then at the head of this mutiny, "recall us to a city from which you have already forced us to fly by your extortion? By what new assurance can you persuade us to rely on a faith which you have repeatedly broken? By what charm can you engage us in support of a commonwealth, of which you will not allow us to be members? You mean to engross all the fruits which are to be reaped in your country, and it is well. We shall leave you to do so, and do not mean to interrupt your enjoyments."

This secession of a great body of the people having continued for several months, and in this time received a constant accession of numbers from the

⁵ Cicero de Claris Oratoribus, c. 14.

BOOK

I.

city and from the contiguous fields, threw the republic into the greatest disorder; exposed its lands to be neglected or pillaged by its own inhabitants, and ravaged by numerous enemies, who took this opportunity to invade it without opposition.

The Patricians had sufficient force in their own body, and in that of their faithful retainers, to guard the avenues of the city, and to secure it from surprise: But being reduced to great difficulties for want of their usual supplies of provisions, and apprehending still greater from the interruption of labor and the suspension of government, they came to a resolution to negotiate with the leaders of the mutiny; and, for this purpose, raised Sp. Cassius, a person who, though of a patrician family, was in high favor with the people, to the office of Consul. They agreed to mitigate the severities which they had hitherto practised against insolvent debtors, and to release such of them as were actually in bonds, or had been destined to slavery.

With these concessions, a deputation was sent to the camp, and a negociation was opened, in which the Plebeians obtained, not only a full acknowledgment of their privileges, but, what was of more consequence, a power of forming assemblies apart from the nobles⁶, and of electing annual magistrates to guard and watch over their own separate rights. “Your Consuls,” they said, “are
“not so much the officers of the commonwealth as
“the heads of a faction; and, in all questions that

⁶ Dionys. Hal. lib. vii.

“ relate to the people, are parties rather than
 “ judges. It is reasonable that we too have a head
 “ or representation in the commonwealth, under
 “ which we may act, at least, in our own de-
 “ fence. ”

C H A P.
 II.

In return to this well-advifed and specious requi-
 fition, the tribunitian power was eftablifhed, and
 with it the foundations of fome good, and of much
 harm, laid in the commonwealth. Great part of
 the laft might have been prevented, if the Ple-
 beians, now in poffeffion of a right to nominate
 Tribunes for the care of their interefts, had from
 thenceforward been content with the power of elec-
 tion merely, had difcontinued their own collective
 affemblies for any other purpofe, and increafed the
 number of their Tribunes to a juft representative of
 their whole body. The return, however, was more
 agreeable to the fpirit of the times. The people
 were allowed to affemble; and, inftead of a repre-
 fentation to fupport and preferve their rights with
 fteadinefs and with moderation, they proceeded to
 elect a few leaders, who, from thenceforward, were
 to head every popular tumult, and to raife up every
 wind of contention into a ftorm.

U. C. 260.

The Tribunes were authorized, at their firft infti-
 tution, to forbid, or to refrain, any meafures
 which they thought hazardous, or injurious to the
 rights of their conftituents, but not to propofe any
 law, nor to move any pofitive refolution. They
 were not entitled to exercife their powers beyond
 the walls of the city, or to abfent themfelves from
 it for a whole day, except in their attendance on

BOOK
I.

the festival of the Latin allies, where the presence of all the Roman magistrates was required. A single Tribune might stop the proceedings of his own body, and of the people themselves, as well as the proceedings of the senate and patrician magistrates. In the exercise of this last part of their trust, though not permitted in this age of aristocracy to mix with the senators, they had places assigned them at the doors of the senate house, from which, as from a watch-tower, they were to observe, and on occasion to stop, the proceedings of the lords.

As the Tribunes were destined to withstand the exertions of power, and were supposed, on the most dangerous occasions, to expose themselves to the axe and the sword of their adversaries, it was thought necessary to guard their persons with the most sacred fences of religion and law. For this purpose an inviolable rule was prescribed in the following terms: "Let no one offer violence to the
" person of a tribune; neither kill him, nor pro-
" cure him to be killed; neither strike him, nor
" procure him to be struck. Let the person who
" offends against this law be accursed; let his ef-
" fects be made sacred to pious uses, and let every
" one pursue him to death."

To render this act irrevocable, a solemn oath for the perpetual observance of it was imposed, and dreadful imprecations were denounced against any person who should propose to repeal it⁷; and such was the effect of these precautions, taken

⁷ Dionys. Hal. lib. iv. p. 410

for the safety of the Tribunes, that, under the republic, persons obnoxious to public justice could not be punished, while they continued to bear this sacred character. And the Emperors themselves, after they had abolished all the other rites of the republic, found, under this sacred title of Tribune, a refuge to their crimes and oppressions, and a protection against the designs of assassins, or the resentment of those they had offended by their tyranny.

The College of Tribunes, at its institution, was not limited to any precise number of members; it consisted at first of such persons as had been most active in procuring the establishment, and continued to be filled with the most zealous partisans of the people, the number being three or more, according as persons appeared to merit this honor. But in process of time both the Plebeians who aspired to this distinction, and the Patricians who were jealous of it, conspired to augment the numbers. — The first, in order to make way for their own preferment; and the second, to the end that they might be the better enabled, on occasion, to disunite their enemies, and to procure the negative of a part, to arrest the proceedings of the whole. The College of Tribunes was accordingly augmented by degrees to ten; and a law was made to provide that the elections should not stop short of this number^s.

Patricians could neither elect nor be elected into

^s Lex Trebonia. Liv. lib. iii. c. 65.

34 THE PROGRESS AND TERMINATION

BOOK

I.

this office⁹, although in the midst of irregularities incident to all unformed, especially to all popular governments, some exceptions are mentioned, even to the last part of this rule. The Tribunes were at first elected in the assembly of the *Curiae*, where the vote of the poorest citizen was equal to that of the most wealthy. But even here the Patricians, although not absolute masters, as they were in the assembly of the *Centuries*, having great influence, and, by holding the auspices, having even a negative on all proceedings, it was thought necessary to alter the form of the assembly in which the Tribunes were elected to that of the *Tribes*; and by this means to enable the people to make their election, without any control from the nobles, either in virtue of the authority of the senate, or the interposition of the augurs¹⁰.

Such was the institution of the Plebeian Tribunes, while the state yet knew of no other magistrate besides the Consuls and the *Quæstors*, of whom the last, even under the kings, had been employed as a species of commissaries, or providers for the army. The expedient was adopted by the senate, to quiet the animosity of parties; but tended, in fact, only to render the contest between them more equal, and to multiply the subjects of dispute. The Tribunes being vested with power to assemble the people, could not long be confined to the mere negative with which they were at first

⁹ Dionys. Hal. lib. vii.

¹⁰ Ibid. lib. ix. p. 65.

intrusted; nor was it easy, on every occasion, to distinguish the measures of attack from those of defence; and the party of the Plebeians, with these officers at their head, were then in a posture, not only to preserve their rights, but likewise to gain to their order continual accessions of privilege and power. Happily for the state, there was yet much ground of this sort to be gained, without transgressing the bounds of good order, or encroaching on the authority of equitable government.

The popular leaders in this career had to break through the bar of hereditary distinction, which, it was pretended, contrary to the genius of the republic, that no personal merit and no measure of ability could remove. One of the first steps they made in pursuit of this object, was to preclude every other power in the state from a negative on their own proceedings. For this purpose it was enacted, by the authority of the Tribes, that no one, under pain of death, or of an arbitrary fine, should interrupt a Tribune while he was speaking to the people¹¹. Being thus provided against interruption, as they were by a former law against violence to their persons, they not only took up the complaints of their constituents, they suggested new claims to be made by them, and, at every succession to office, endeavoured to signalize their term by some additional establishment for the benefit of the people: They even interrupted the state in its councils and military operations, and

¹¹ Dionys. Hal. lib. vii.

36 THE PROGRESS AND TERMINATION

BOOK almost in every instance hung upon the wheels of
I. government, until the grievances they complained of were redressed, or the demands they made were complied with.

U. C. 260. In order to increase the number of Plebeian officers, whose aid the Tribunes alleged were necessary to themselves, they, soon after their own institution, procured that of the *Ædiles*, who were to inspect the markets, and have charge of the public buildings and public shows. Being subordinate to the Tribunes, as well as to the Consuls, they acted, upon occasion, in what related to the policy of the town, as assistants to both ¹².

As Rome was a place of arms, and subsisted in some measure by public magazines; as settlements won from the enemy were often to be disposed of to citizens; as its institutions were yet new and incomplete; and as the Patricians still claimed an exclusive right to all the offices of state, there was much to occupy the cares of the Public—the distribution of corn from the granaries, the division of conquered lands, the defects of the laws, and the arbitrary proceedings of the magistrates. The qualifications of candidates for the office of Consul furnished, during some ages, the subject of continual debates, and frequently exposed the parties concerned in them, if they escaped the swords of their enemies, to perish by their own dissensions. Their civil and military transactions were constantly blended together. The senate frequently involved

¹² Dionys. Hal. lib. vi.

the state in war, in order to suspend its intestine divisions, and the people as often took occasion, from the difficulties in which the community was involved by its enemies, to extort a compliance with their own demands.

The first subject of contention that arose after the institution of the Tribunes was a sequel of the troubles which had preceded that establishment. The secession of the people took place in Autumn, the usual seed-time in Italy; and the labors of that season having been accordingly interrupted, the city was threatened with famine; and the senate exerted all its industry in guarding against this evil²³. After the public granaries were filled for this purpose, it became a question, upon what terms, and at what price, the poorer citizens should be supplied from thence. Their insolence in the late mutiny, and the part which they themselves, by suspending the labors of the field, had taken, in bringing on the distress with which they were now threatened, were fully stated against them in this deliberation. The opportunity was thought to be fair, to recal the several concessions which had been extorted from the senate, and, in particular, to oblige the people to part with their Tribunes, and to return within the former bounds of their duty.

Such was the substance of a contumelious speech, delivered in the senate by the celebrated Caius Marcius Coriolanus. The younger nobility applauded

²³ Dionys. lib. vii.

38 THE PROGRESS AND TERMINATION

BOOK

I.

his sentiments ; but the greater part of the senate, having recently escaped from a popular storm, were unwilling to engage themselves anew in the same dangerous situation. In order, therefore, to appease the people, who were greatly incensed at the proposal which had been made to subdue them, they agreed to deliver corn from the public granaries, at a price below that of the most plentiful season. And, by this proceeding, for the present pacified the Tribunes, but flattered their presumption, and encouraged them to meditate still further demands. The distress with which their constituents had been threatened was prevented, but the insult they had received from Caius Marcius was not avenged; and they cited him to appear before the tribunal of the People; to answer for his conduct to the party he had offended. The Senate and Patricians were disposed to protect him; but, trusting that by the majority of their votes they might be able to acquit him in the *comitia* of the Centuries, the only assembly before which, from the time of its first institution, any capital charge had been hitherto laid against a citizen, they suffered the trial to proceed. In this, however, they were disappointed. The Tribunes insisted, that the people should assemble in their Tribes; and having prevailed in this previous question, the accused, as being already condemned by this determination relating to the form of his trial, withdrew from his sentence **.

** Dionys. Hal. lib. i. p. 469.

Coriolanus, in resentment of this prosecution, which forced him into exile, joined the enemies of his country, and by increasing the alarm of war from abroad, helped to suspend for a while the animosities of which he himself had furnished the occasion at home. The contest in which he had engaged the parties ended with his own exile, and was not attended with any other political effects; but it merits a place in these observations, as a proof of the great influence which the Plebeian party, under its new leaders, had acquired, and as an evidence of the singular state of the Roman policy, by which, in the uncertain choice of different modes of assembly, the very form of the government was left undetermined, until the occasion occurred on which this government was to act.

CHAP.
II.
U. C. 262.

The assembly of the Centuries formed an aristocracy, that of the tribes a democracy. They did not partake in the sovereignty by any determinate rule, but each of them occasionally seized upon the whole of it; and, instead of balancing each other by regular checks and interruptions, threatened to render the administration of the Republic a continual scene of contradictions and inconsistencies. Such at least is the judgment which we are tempted, in speculation, to pass on this singular constitution, although, in the sequel of its history, it will appear to possess, at least, one of the highest political advantages, in being the most excellent nursery of statesmen and warriors, and in forming the most conspicuous example of national ability and success.

40 THE PROGRESS AND TERMINATION

BOOK

I.

The calm which the approach of Coriolanus, at the head of an army of Volsci, produced within the city, was of no longer duration than the alarm which produced it. As soon as the external enemy withdrew, the parties within resumed their disputes; but on a subject which was still more important than that which had recently employed them; and which, continuing to be moved at intervals, served to the last hour of the Republic as an object of popular zeal, or furnished a specious pretence, which ambitious and designing men continually employed, to captivate the ears of the populace. This was the most popular of all propositions—an equal division of land-property, known by the name of the Agrarian Law.

While the Romans were making their first acquisitions of territory, their conquests were understood to be made for the people, and were accordingly divided among them, or given to those who had not a sufficient provision for the subsistence of their families¹⁵. But of late, during a considerable period, while the Republic barely withstood the attacks of the exiled king, or recovered the losses sustained in the wars with the numerous enemies that supported him, she had either made few acquisitions of this sort, or, suitably to the growing disparity of ranks, which, though not necessary in very small republics, becomes so in proportion as nations extend, suffered the conquered lands to pass by connivance, occupancy, or purchase, into

¹⁵ Dionys. Hal. lib. ii.

the hands of powerful citizens, who made use of these opportunities to appropriate estates to themselves. C H A P.
II.

The Tribunes had not yet begun to make their complaints on this subject, when they were anticipated by the Consul Sp. Cassius, who, being already in high favor with the popular party, continued to flatter the passions of the inferior class, and is said to have aimed at an improper and dangerous influence in the state. He affected great zeal for the rights of the people, and proportional indignation against their oppressors. He complained, in particular, of the improper use which had been recently made of the conquered lands, by suffering them to become the property of persons who were already too rich. Having himself made some conquests, he showed how the lands of the Republic ought to have been disposed of, by making an equal division of his own acquisitions among the more indigent citizens ¹⁶. He obtained an act of the people to appoint three commissioners to inquire into the abuses which had been committed in the disposal of lands acquired from the enemy, and to consider of the proper corrections. U. C. 267.

The senate, and the Patricians in general, were greatly alarmed; most of them had possessions that seemed to fall within the object of this inquiry. The popular party alleged, that conquered lands being acquired by the joint labors, and at the common hazard, of all the people, should be equally

¹⁶ Liv. lib. ii. c. 41.

42 THE PROGRESS AND TERMINATION

BOOK. divided among them. The Patricians contended
I. that these levelling principles led to confusion
and anarchy; that, in a state of which all the territory was actually, and within a few centuries, acquired by contest, these maxims could not be applied without the subversion of government, as well as of property.

In this contest, Cassius appeared to have the advantage of numbers on his side; and if he had confined his views to the division of lands, under which he was said to disguise a more dangerous intention, the senate and nobles must have at least devised considerable settlements for the people, in order to elude his demands. But while Cassius alarmed the rich with danger to their property, he at the same time alarmed every citizen with danger to his personal consequence, by offering the freedom of the city to every alien, who, at his summons, crowded from all the cantons of Latium to vote in the assemblies of the Roman people. His colleague opposed this measure, and the city, for the present, was saved from the intrusion of strangers. The attempt, however, gave offence to the people, as well as to the senate; and the unhappy author of it, in order to regain the favor of his party, proposed a resolution, not only to make a gratuitous distribution of corn, but even to refund what had been formerly paid by any citizen at the public granaries. This proposal too was interpreted to his prejudice, and raised a suspicion that he meant, with the aid of aliens and of indigent citizens, to usurp the government. On this supposi-

tion, all parties in the state combined against him, and he was condemned to suffer the punishment of treason. C H A P.
II.

This appears to have been the first project after the state began to have its demefne lands, and after private estates began to be accumulated, that was made to divide all territorial acquisitions in equal shares to the people. And though the author of it perished in the attempt, the project itself was entailed on the commonwealth, as a subject of dissension, and became the source of repeated demands on the part of the people.

The Tribunes had no sooner accomplished the ruin of Cassius, in which they concurred with the senate, than they insisted for the execution of the law he had framed, and for the nomination of three commissioners already resolved on, for the division of conquered lands. They protected the people in refusing to serve the state in its wars, until this demand should be granted. And having absolute and irresistible power to stop all proceedings in the city, they prevented all military levies within the walls, obliged the Consuls, during a certain period, to erect their standard in the country, and there to force the herdsman and laborer to enlist, by driving away the cattle, and distraining the effects of those who were unwilling to obey them¹⁷.

In these exertions of political strength, the parties at Rome learned by degrees to form their

¹⁷ Dionys. Hal. lib. viii. Ibid. No. 273 and No. 278.

44 THE PROGRESS AND TERMINATION

BOOK
I.

different plans, whether of administration or of opposition.

The senate endeavoured to furnish the people with employment abroad, to amuse them with triumphal processions, to gratify them with partial settlements and allotments of land; and, in order to stop the violence of their leaders, by the negative of some one of their own order, continually endeavoured to divide the College of Tribunes.

The Tribunes, in their turn, endeavoured, by oaths and private engagements, to secure the unanimity of their own body, or to bind the minority to follow the decision of the greater number. They taught the people to despise the partial settlements, which, to pacify or to suspend their importunities, were offered to them at a distance from Rome. They taught them to aim at a higher object, the political consequence of their order, and an equal share in the government of their country. The Tribunes were honored in proportion to the part which they took in support of this popular cause; and Plebeians were successively raised to this office, in reward of the animosity they had occasionally shown to the senate, and from respect to the courage with which they had, in any case, withstood the authority of the magistrate.

At every succession, accordingly, the new Tribunes endeavoured to signalize their year by suggesting some advantage to the people; and, in the course of their struggles, obtained many regulations favorable to their interest as an order in the State.

One law which has been already mentioned, and which is of uncertain date, they obtained, to substitute the assembly of the Tribes for that of the Curiae in the election of Tribunes ¹⁸. C H A P.
II.

Another, to exclude the Patricians entirely from the Assembly of the Tribes ¹⁹. U. C. 382.

The Agrarian Law itself they frequently moved, in the interval of other claims and pretensions, or brought it forward along with such claims, in order to alarm the Patricians, and to force them, under apprehension of this principal object of their fears, to a compromise, or to a compliance in some other demand.

To the other circumstances, which tended frequently to revive these political flames, may be joined the arbitrary proceedings of the magistrate, and the defect of judicial forms in the commonwealth. The Consuls had succeeded to the Kings, as sole Officers of State, both civil and military; they had not sufficient forms or limitations prescribed to them in the exercise of their power ²⁰. This defect, which is common in the administration of rude governments, is for the most part supplied by degrees. Evils are corrected in proportion as they are felt, and the rational proceedings of one age are adopted as precedents to regulate the next. But, in the present instance, at Rome, the popular party, it is said, demanded at once a system of jurisprudence.

¹⁸ Dionys. Hal. lib. 9. Liv. lib. ii. c. 56.

¹⁹ Liv. lib. ii. c. 60.

²⁰ Liv. lib. iii. c. 9. Dionys. Hal. lib. x.

46 THE PROGRESS AND TERMINATION

BOOK

1.

dence and a complete body of laws. Being opposed by the Patricians, they came to consider the measure as an object of party; and they pressed the acceptance of it, as much from animosity to the magistrates, as from a desire to secure public justice, or to regulate the forms of judicial procedure. The Patricians considered the project as an attack on their power; and, however innocent or reasonable it may have been, endeavoured to elude the execution of it with all the arts of evasion and delay, which they had employed to prevent the division of the conquered lands, or to frustrate any other the most factious purpose of their adversaries.

In this contest the powers and artifices of both parties were fully exerted. To the great authority and address of the nobles, the people opposed an ardor that was not to be cooled by delays, to be discouraged by partial defeats, or restrained by scruples in the choice of means for the attainment of their end. From this, as from many other instances, it may be inferred, that the popular party, in the contest with their superiors, are apt to think, that the rules of veracity and candor may be dispensed with, and that the means of deceit and violence may, without any scruple, be employed in their own favor. With less honor and dignity to maintain than their adversaries, they are less afraid of imputations that detract from either; and their leaders, supported by the voice of the more numerous party, are less apprehensive of evil fame. In this contest, accordingly, fictitious plots and con-

spiracies were fabricated by the popular side, and fictitious designs against the liberties of the people were imputed to the Patricians, in order to render them odious, and to deter them from appearing in support of their real pretensions ²¹.

In the issue of these contests, the senate, despairing of being able to divert the people from their purpose, agreed to the nomination of three commissioners, who should be sent into Greece to make a collection of such laws as, being found salutary in that country, might be transferred to Rome. Soon after the return of the commissioners, the Senate approved their report, and concurred in the nomination of the famous Decemvirs to compile a body of laws for the commonwealth.

The Decemvirs were appointed merely to make the draft of a new code, and to propose matter for the consideration of the Senate and People, from whom alone the propositions could receive the authority of laws; yet the persons named for this purpose, as the History bears, had credit enough with the people to be vested with a temporary sovereignty, in which they superseded the authority of the Senate, as well as that of the Consuls, and had unlimited power over the lives and fortunes of their fellow-citizens ²². Before their commission expired, they presented a number of laws, engraven on ten tables or plates, and containing a summary of the privileges to be enjoyed by the People, of

U. C. 302.

²¹ Dionys. Hal. lib. x.

²² Ibid. No. 303.

48 THE PROGRESS AND TERMINATION

BOOK
I.

the crimes to be punished by the Magistrate, and of the forms to be observed in all judicial proceedings. They, at the same time, informed the people, that their plan was still incomplete, that many useful additions were yet to be made; and, upon the faith of these declarations, obtained for another year the renewal of their powers, with a change of some of the persons who were named in the commission.

In this second year of the Decemvirs appointment, two more tables or plates were added to the former ten; a circumstance from which this part of the Roman law has derived its name. This supplement, as well as the former body of laws, was received with great avidity, and the twelve tables continued to be respected at Rome, as the ancient titles, by which men are supposed to hold any valuable rights, are revered in all nations²³. No complete copy of them being transmitted to modern times, we cannot fully judge of their value; but, from the fragments remaining in Authors that occasionally cite them²⁴, this Code appears, in some clauses, to have been a first draft of the regulations which are necessary in the establishment of property, and in making private parties answerable to public judicatures in all their disputes.—The

²³ Livy calls the Twelve Tables *Fons omnis publici privateque juris*. Tacitus calls them *Finis equi juris*. And Crassus in the Dialogue of Cic. de Orat. is made to say, *Bibliothecas omnium philosophorum, unus mihi videtur tabularum libellus superare*. De Orat. lib. i. c. 44.

²⁴ Vid. Gravini de Origine juris Civilis. Pighii Anal.

property

property of land was established by a fair prescription of two years, and that of other effects by a prescription of one year.—Any controversy concerning the boundaries of land-property was to be determined by arbiters or jurymen appointed by the Magistrate.—Parties cited to a court of justice were not at liberty to decline attendance.—Judgement in capital cases was competent only to the Assembly of the People in their Centuries; but this supreme Tribunal might delegate its powers by a special commission.

In considering this Code as a record of ancient manners, the following particulars are worthy of notice :

The distinction of Patrician and Plebeian was so great, that persons of these different orders were not permitted to intermarry.

The father being considered as the absolute master of his child, had a right even to kill, or expose him to sale ²⁵.

²⁵ The clause in the Twelve Tables relating to the father's power of sale, contains a singular limitation. *Vendendi filium patri potestas esto. Si pater filium ter venundavit, filius a patre liber esto.* The father may sell his child, but if he has sold him three times, the child shall be free. (Dionys. lib. ii. c. 27. p. 97.) This law, in its first appearance, carries an implication that, until this restriction was applied, fathers practised selling their children times without limit. No law, it may be said, is made against crimes altogether unknown; and, in general, what people do, may be inferred from what they are forbid to do; and yet the clause, considered in this light, is full of absurdity. The child, to be repeatedly sold, must have repeatedly disengaged himself from slavery. After being twice sold, he must have

50 THE PROGRESS AND TERMINATION

BOOK
1.

The interest of money was limited to one *per cent.*²⁶; but bankruptcy was treated as a crime,

put himself a third time in the father's power; and to render such cases the object of law in any age or country whatever, the great law of parental affection must have been strangely suspended. The question therefore may be submitted to Civilians and Antiquaries, whether it be not easier to suppose a mistake in the tradition or in the record, or an unnecessary precaution in the compilers of this Code, than such a frequency of the circumstances presumed in this clause, as would make the offence a proper object of legislation in any age or nation whatever; and whether this law may not have been, in its original intention, what it became in the subsequent applications of it, a mere precaution in favor of the parent, that he should not be deprived of his child by surprise, and that unless he had sold him three times, he was not supposed to have sold him at all. The form by which a Roman father emancipated his son, consisted of a sale three times repeated. The father sold him and received his price. The buyer once and again re-delivered the child, and had his price returned. After the third purchase, the buyer manumitted him by a singular ceremony prescribed in the laws.

²⁶ Nam primo duodecim tabulis sancitum, ne quis unciario ($\frac{1}{12}$ per mon. or 1 per cent. per an.), fœnore amplius exerceret, cum antea ex libidine locupletium agitaretur; dein rogatione tribunitia ad semuncias redacta; postremo vetitæ usuræ, multisque plebiscitis obviam itum fraudibus, quæ toties repressæ miras per artes rursus oriebantur. Tacit. An. lib. vi.

Montesquieu ventures to reject the authority of Tacitus in this instance, and supposes that the law which he ascribes to the Decemvirs had no existence until the year U. C. 398; when, according to Livy, lib. vi. it was obtained by the Tribunes M. Duellius and L. Menenius, in favor of the people. Haud æque patribus lata, insequente anno C. Martio & Cn. Manlio Coss. de unciario fœnore a M. Duellio, L. Menenio, tribunis plebis, rogatio perlata. It is indeed probable that many antiquated laws were referred to this Legendary Code

and, without any distinction of fraud or misfortune, exposed the insolvent debtor to the mercy of his creditors, who might put him to death, dissect or quarter him, and distribute his members among them²⁷.

Mixed with laws that arose from superstition, there were others containing proofs of great national wisdom. In private, every family were free to worship the gods in their own way. And in public, though certain forms were required, yet there was not any penalty annexed to the omission of them, as the punishment of offences in this matter was left to the offended god.

of the Twelve Tables on no better authority than that of their antiquity. And so great a reduction of interest was more likely to come from Tribunes acting in favor of the people, who were generally the debtors, and who soon after procured the entire abolition of the interest of money, than from the Decemvirs, who, being of the aristocratical faction, took part with the creditors.

²⁷ The clause in this Code respecting insolvent debtors, is equally strange with that which respects the power of the father, and shows no less upon what atrocious ideas of what they were to permit, as well as of what they were to prohibit, the compilers of this Code proceeded. Their ideas in either, it is probable, were never realized. Livy says, that debtors were *nexi & traditi creditoribus* (Liv. lib. ii. c. 23 & 27.). But it is affirmed with great probability of truth, that no creditor ever took the full benefit of this law against his insolvent debtor (Aul. Gell. lib. 20. c. 1.). Laws that result from custom, and are suggested by real occasions, are genuine proofs of the reigning manners; but laws enacted by special lawgivers, or commissioners, only indicate what occurs to the fancy of the compiler, and what are the prohibitions he is pleased to suppose may be necessary.

BOOK

I.

The people were required to build their houses two feet asunder, to leave eight feet for the ordinary breadth of streets and highways, and double this breadth at the turnings.

They were forbid to dress or to polish the wood employed in funeral piles, or to express their sorrow for the dead by wounding their flesh, tearing their hair, or by uttering indecent or lamentable cries.

Such are a few of the more singular and characteristic clauses which are mentioned among the fragments of the Twelve Tables. The ardor of the people to obtain this Code, and the unlimited powers which they intrusted to the commissioners appointed to frame it, had nearly cost them their liberty; and thus ended the progress of their commonwealth. The Two additional Tables, as well as the first Ten, having been posted up for public inspection, and having been formally enacted by the Senate and People, the object of the Decemvirs commission was obtained, and it was expected that they were to abdicate their power; but the principal persons vested with this trust, having procured it with a view to usurp the government, or being debauched by two years uncontrolled dominion in the possession of it, refused to withdraw from their station, and boldly ventured to persist in the exercise of their power after the time for which it was given had elapsed. At Rome, the power of the magistrate was supposed to determine by his own resignation, and the republic might suffer a peculiar inconveniency from the obstinacy of particular persons, who continued to exercise the

functions of office after the period assigned them by law was expired. C H A P. II.

The Decemvirs took advantage of this defect in the constitution, continued the exercise of their power beyond the period for which it was given, took measures to prevent the restoration of the Senate and the Assemblies of the People, or the election of ordinary magistrates, and, even without employing much artifice, got the People to acquiesce in their usurpation, as an evil which could not be remedied; and the usurpers, in this as in other instances, seemed to meet with a submission that was proportioned to the confidence with which they assumed their power. The wrongs of the State appeared to make little impression on parties who had an equal concern to prevent them; but a barbarous insult offered to a private family rekindled or gave occasion to the breaking out of a flame, which injuries of a more public nature only seemed to have smothered.

Appius Claudius, one of the usurpers, being captivated with the beauty of Virginia, the child of an honorable family, and already betrothed to a person of her own condition, endeavoured to make himself master of her person, by depriving her at once of her parentage and of her liberty. For this purpose, under pretence that she had been born in servitude, and that she had been stolen away in her infancy, he suborned a person to claim her as his slave. The Decemvir himself being judge in this iniquitous suit, gave judgment against the helpless party, and ordered her to be removed to the house

54 THE PROGRESS AND TERMINATION

B. O. O. K. of the person by whom she was claimed. In this
 1. affecting scene, the father, under pretence of bidding a last farewell to his child, came forward to embrace her; and, in the presence of the multitude, having then no other means to preserve her honor, he availed himself of the prerogative of a Roman father, and stabbed her to the heart with a knife. A general indignation instantly arose from this piteous sight, and all parties concurred, as at the expulsion of the Tarquins, to deliver the republic from so hateful a tyranny²⁸.

U. C. 304.

The Senate and Patrician administration being re-established by the cheerful concurrence of the Plebeians, and the former government restored with the consent of all parties, a tide of mutual confidence ensued, which led to the choice of the most popular persons into the office of Consul, and procured a ready assent from the nobles to every measure which tended to gratify the people.

The danger which had been recently experienced from the exercise of uncommon discretionary powers, produced a resolution to forbid, under the severest penalties of confiscation and death, any person ever to propose the granting of any such powers. The consecration of the persons of the Tribunes, which, under the late usurpation, had almost lost its effect, was now renewed, and extended, though in a meaner degree, to the Ediles and inferior officers, who were supposed to act under the Tribunes in preserving the rights of the people.

²⁸ Liv. lib. iii. c. 37. Dionys. Hal. sine.

The Patricians likewise consented to have the acts of the Senate formally recorded, placed in the temple of Ceres, and committed to the care of the Ediles²⁹. This was in fact a considerable diminution of the power of the Consuls, who had been hitherto considered as the keepers and interpreters of the Senate's decrees, and who had often suppressed or carried into execution the acts of this body at pleasure.

But the most striking effect, ascribed to the present unanimity of the citizens, was the ease with which the Plebeian assemblies were permitted to extend the authority of their acts to all the different orders of the commonwealth. U. C. 304.

The *Comitia*, or assemblies of the Roman people, as may be collected from the past observations, were now of three denominations; that of the *Curiae*, the *Centuries*, and the *Tribes*. In assemblies of the first and second denomination, all citizens were supposed to be present; and laws were enacted relating to the policy of the state in general, as well as to particular departments, and separate bodies of men. The *Centuries* disposed of civil offices, and the *Curiae* of military commands³⁰. In the assembly of the *Tribes*, composed of Plebeians alone, the *Tribunes* were elected; and acts were passed to regulate the proceedings of their own order, beyond which, in the ancient times of

²⁹ Liv. lib. iii.

³⁰ Lib. v. c. 52. Lib. ix. c. 38. Cic. ad Famil. lib. i. ep. 9. Liv. lib. vi. c. 21.

56 THE PROGRESS AND TERMINATION

BOOK

I.

the republic, their authority did not extend. But as the Senate denied the right of the Tribes to enact laws that should bind the community, the Plebeians, in their turn, disputed the legislative authority of the Senate. The Centuries alone were supposed to enjoy the right of enacting laws for the commonwealth³¹.

This distribution, however, was partial, and tended to lodge the sovereignty of the State in the hands of the Patricians, who, though no more than a part of the people, were enabled, by their undoubted majority in the assemblies of the Centuries as well as in the Senate, to give law to the whole.

Equity and sound policy required that the Plebeians should have a voice in the legislature of a commonwealth of which they made so considerable a part. This privilege appeared to be necessary, in order to secure them against the partial influence of a separate order of men. They accordingly obtained it; but in a manner that tended to disjoin, rather than to unite into one body, the collateral members of the State. Instead of a deliberative voice, by which they might concur with the Senate and *Comitia* of the Centuries, or by which they might control and amend their decrees, they obtained for themselves a separate and independent power of legislation, by which, as a counterpoise

³¹ These were termed *Leges*; the resolutions of the Senate were termed *Senatûs Consulta*, and those of the Tribes, *Plebiscita*.

to the Patrician acts, which might pass in the Centuries without their concurrence, they could, on their part, and without the presence or consent of the nobles, make Plebeian acts that could equally bind the whole community ³².

C H A P.

II.

U. C. 304.

This rude and artless manner of communicating a share of the legislature to the inferior order of the people, tended greatly to increase the intricacy of this singular constitution, which now opened, in fact, three distinct sources of legislation, and produced laws of three different denominations; decrees of the Senate ³³, which had a temporary authority; acts of the Centuries ³⁴; and resolutions of the Tribes ³⁵; and by these means undoubtedly made way for much intestine division, distraction, and tumult.

So far animosity to the late usurpation had united all orders of men in the measures that followed the expulsion of the Decemvirs; but the spirit of cordiality did not long survive the sense of those injuries, and that resentment to a common enemy from which this transient unanimity arose. The Plebeians had removed some part of the establishment, in which the Patricians were unequally favored; but they bore with the greater impatience the inequalities which remained, and by which they were still condemned to act a subordinate part in

³² Dionys. Hal. p. 306. Liv. lib. iii. c. 55.

³³ Senatus Consulta.

³⁴ Leges.

³⁵ Plebiscita.

58 THE PROGRESS AND TERMINATION

BOOK
I.

the commonwealth. They were still excluded from the office of Consul, and from that of the priesthood. They were debarred from intermarriage with the nobles by an express law, which had been enacted, lest the sexes, from passion, forgetting distinctions, should in this manner unite their different ranks; but being now, in some measure, by the late act in favor of the *Comitia* of the Tribes, become joint or rival sovereigns of the State, they could not long acquiesce in these unequal conditions.

U. C. 308.

A few years after the restoration of the commonwealth, Canuleius, a Plebeian, being one of the Tribunes, moved the celebrated act which bears his name³⁶, to repeal the clause of the Twelve Tables which prohibited the intermarriage of Patricians and Plebeians. The other nine Tribunes joined at the same time in a claim of more importance—that the office of Consul should be laid open to all the different orders of the commonwealth, and might be held by Plebeians, as well as Patricians³⁷. The Senate, and the whole order of nobles, having for some time, by delays, and by involving the State, as usual, in foreign wars, endeavoured to suspend the determination of these questions, were at length obliged to gratify the people in the less material part of their pretensions, respecting the intermarriage of different ranks, in order, if possible, to pacify them on the refusal

³⁶ Lex Canuleia. Liv. lib. iv. c. 1.

³⁷ Dionys. Hal.

of the more important claim, which related to their capacity of being elected into the office of Consul. C H A P.
II.

To elude their demands on this material point, it was observed, that of the sacrifices and other duties belonging to the priesthood, which, by the sacred laws of religion, could be performed only by persons of noble birth, many were to be performed by the Consul, and could not, without profanation, be committed to any person of Plebeian extraction; and that, by this consideration alone, the Plebeians must be for ever excluded from the dignity of Consul. Superstition, for the most part, being founded on custom alone, no change can be made in the custom, without appearing to destroy the religion that is founded upon it. This difficulty accordingly put a stop, for a while, to the hasty pace with which the Plebeians advanced to the Consulate: but this obstruction was at length removed, as many difficulties are removed in human affairs, by a slight evasion, and by the mere change of a name. The title of Consul being changed for that of Military Tribune, and no sacerdotal function being included in the duties of this office, Plebeians, though not qualified to be consuls, were allowed to offer themselves as candidates, and to be elected Military Tribunes with consular power. In this manner the supposed profanation was avoided, and Plebeians were allowed to be qualified for the highest office of the State. The mere privilege, however, did not for a considerable time, enable any individual of that order to attain to the honor

U. C. 309

63 THE PROGRESS AND TERMINATION

BOOK of first magistrate of the commonwealth. The
I. Plebeians in a body had prevailed against the law which excluded them; but as separate candidates for office, still yielded the preference to the Patrician competitor; or, if a Plebeian were likely to prevail at any particular election of Military Tribunes, the Patricians had credit enough to have the nomination of Consuls revived in that instance, in order to disappoint their antagonists.

Together with the separation of the military and sacerdotal functions, which took place on this occasion, another change, more permanent and of greater moment, was effected. Ever since the institution of the Census, or muster, the enrolment of the people was become a principal object of the executive power. In the first ages it belonged to the King, together with all the other functions of state. In the sequel, it devolved on the Consuls; and they accordingly, at every period of five years, by the rules of this office, could dispose of every citizen's rank, assign him his class, place him in the rolls of the Senate, or on that of the Knights, or strike him off from either; and, by charging him with all the burdens of a subject, while they stript him of the privileges of a citizen, deprive him at once of his political consequence³⁸, and of his state as a Roman³⁹.

These regulations were accordingly enforced,

³⁸ Liv. lib. iv. c. 24.

³⁹ The citizens who came under this predicament were termed *Ærarii*.

not held up into public view merely to awe the people. The magistrate actually took an account of every citizen's estate, inquired into his character, and assigned him his place; promoted him to the Senate or to the Knighthood; degraded or disfranchised, according as he judged the party worthy or unworthy of his freedom, of the rank which he held, or of that to which he aspired in the commonwealth ⁴⁰.

So important a trust committed to the discretion of an officer elected for a different purpose, took its rise in the simplicity of a rude age; but continued for a considerable period without any flagrant examples of abuse. It was, nevertheless, that branch of the consular magistracy which the Patricians were least willing to communicate or to share with the Plebeians. While they admitted them, therefore, to be elected Tribunes with consular power, they stipulated, that the charge of presiding in the Census, or musters, should be disjoined from it; and that, under the title of Censors, this charge should remain with persons of Patrician birth ⁴¹. They contended for this separation, not with a professed intention to reserve the office of Censor to their own order, but under pretence that persons invested with the consular power, being so frequently employed in the field against the enemies of the commonwealth, could not attend to the

⁴⁰ Liv. lib. iv. c. 24.

⁴¹ Ibid. c. 8.

62 THE PROGRESS AND TERMINATION

BOOK I. affairs of the city, or perform all the duties of Cenfor at their regular periods.

But whatever may have been the real motive for separating the department of Cenfor from that of Consul, the change appears to have been seasonably made, and may be considered as a striking example of that singular felicity with which the Romans, for some time, advanced in their policy, as well as in their fortunes. Hitherto the Roman Consul, being a warrior, was chiefly intent on the glory he was to reap in the field, and to gain at the expense of the enemies of the State. He disdained to seize the advantages which he had in his power, in the capacity of a clerk or accountant intrusted with the Census, or enrolment of his fellow-citizens; nor does it appear that any peculiar attention was given to the choice of Consuls on the year of the Census, as being then vested with any dangerous measures of power. But considering the height at which party disputes were then arrived, and the great consequence of a citizen's rank and place on the rolls, it was no longer safe to intrust in the same hands the civil rights of the People, and the executive powers of the State. The Consul, being frequently raised to his station by party intrigues, and coming into power with the ardor of private ambition and of party zeal, might have easily, in the manner of making up the rolls of the people, gratified his own resentment, or that of his faction. The office of Consul, in his capacity of military leader, was naturally the province of youth, or of vigorous manhood; but that

of Cenſor, when diſjoined from it, fell as naturally into the hands of perſons of great authority and experienced age; to whom, in the ſatiety of brighter honors, the People might ſafely intruſt the eſtimate of their fortunes, and the aſſignment of their rank. In ſuch hands it continued, for a conſiderable period, to be very faithfully diſcharged; and by connecting the dignities of Citizen, and the honors of the State, with private as well as public virtue, had the happieſt effects on the manners of the People.

The number of Cenſors, like that of the Conſuls, was limited to two; but that of the Conſular Tribunes was left undetermined, and at ſucceſſive elections was augmented from three to eight. This has given occaſion to ſome hiſtorians, who are quoted by Livy, to aſcribe the inſtitution of this office, not to the importunity of the Plebeian party, but to the exigencies of the State; which being aſſailed by numerous enemies, and not having as yet, deviſed the method of multiplying commanders, under the titles of Proconſul, were led to ſubſtitute officers of a different denomination, whoſe numbers might be increaſed at diſcretion. It is indeed probable, that, in the progreſs of this government, new inſtitutions, and the ſeparation of departments, were ſuggeſted no leſs by the multiplicity of growing affairs, than by the pretenſions of party, or by the ambition of ſeparate pretenders to power. In the firſt of thoſe ways, we are led to account for the inſtitution of the Plebeian Ediles, already mentioned; for that of the Præfec-

64 THE PROGRESS AND TERMINATION

BOOK I. **I.** *tus Annonæ*, or Inspector of the Markets, together with the additions that were, in the course of these changes, continually made to the number of *Quæstors*.

The *Quæstors* had been long established at Rome; they had charge of the public funds, and followed the Kings and the Consuls as commissaries or provisors in the field. During the busy period which we have been now considering, their number was augmented from two to four; and the places were filled, for the most part, with Patri-

U. C. 333. cians, though not limited to persons of this rank.

The *Præfectus Annonæ*, or Inspector of the Markets, was an officer occasionally named, on a prospect of scarcity, to guard against famine, and to provide for the wants of the people. Rome was in fact a place of arms, or a military station, often depending as much for subsistence on the foresight and care of its officers, as on the course of its ordinary markets. Without a proper attention to this particular on the part of the State, the People were exposed to suffer from scarcity. On the approaches of famine, they became mutinous and disorderly, and were ready to barter their freedom, and the constitution of their country, for bread. During the famine which first suggested the separation of this trust from that of the ordinary officers of State, *Sp. Mælius*, a Roman Knight, being possessed of great wealth, engrossed great quantities of corn; and having it in his power to supply the wants of the poor, endeavoured to form a dangerous party among them, and, by their means, to
raise

raise himself to the head of the commonwealth. The senate took the alarm, and, as in the most dangerous crisis of the state, had recourse to the nomination of a Dictator. Mælius being cited to appear before him, and having refused to answer, was put to death.

The care of supplying the people with corn, which had been at this time committed to L. Minucius, was from thenceforward intrusted to citizens of the first rank, and the office itself became necessary in the political establishment of the commonwealth.

Hitherto we have considered the Roman Republic as a scene of mere political deliberations and councils, prepared for contention, and seemingly unable to exert any united strength. The State, however, presented itself to the nations around it under a very different aspect, as a horde of warriors, who had made and preserved their acquisitions by force, and who never betrayed any signs of weakness in the foreign wars they had to maintain.

In their transition from monarchy to republic, indeed, there seems to have been a temporary intermission of national exertions. Private citizens, annually raised to the head of the republic, did not with their elevation acquire the dignity of princes; they did not command the same respect from their fellow-citizens at home, nor had the same consideration from rival nations abroad. The frequent dissensions of the people seemed to render them an easy prey to their enemies. During the life of

66 THE PROGRESS AND TERMINATION

B O O K Tarquin many powers united against them in behalf of the exiled king. They were stripped of their territory, confined to the walls of their city, and deserted by their allies ⁴². The fortune of the State seemed to fall with its monarchy. The event, however, belied these appearances, and the power of the annual Magistracy soon became more formidable abroad, though less awful at home, than that of the Monarch. The republican government sought for respite from domestic trouble in the midst of foreign war, and the forces of the State, instead of being restrained, were impelled into action by intestine divisions. The ambition with which the lower ranks of the people endeavoured to watch their superiors, the solicitude with which the higher order endeavoured to preserve its distinction, the exercise of ability which, in this contest, was common to both, enabled them to act against foreign enemies with a spirit that was whetted, but not worn out, in their domestic quarrels.

The consuls annually elected, brought to the helm of affairs a fresh vigor of mind and continual supplies of renewed ambition. Every officer, on his accession to the magistracy, was in haste to distinguish his administration, and to merit his triumph; and numerous as the enemies of the Republic appeared, they were not sufficient to furnish every Roman Consul, in his turn, with an opportunity to earn this envied distinction. It was given

⁴² Dionys. Hal. lib. v.

only to those who obtained actual victories, and who killed a certain number of their enemies ⁴³.

In this nursery of warriors, honors, tending to excite ambition or to reward military merit, were not confined to the leaders of armies alone: The victorious soldier partook in the triumph of his leader, and had subordinate rewards proportioned to the proofs he had given of his valor. "I bear the scars," said Dentatus (while he pleaded for a share in the conquered lands to himself and his fellow-soldiers), "of five-and-forty wounds, of which twelve were received in one day. I have carried many prizes of valor. Fourteen civic crowns bestowed upon me by those I had saved in battle. Three times the mural crown; having been so often the first to scale the enemies' walls. Eight times the prize of distinction in battle. Many tokens of esteem and gratitude from the hands of generals. Eighty-three chains of gold; sixty bracelets, eighteen lances, and twenty-five sets of horse-furniture, from private persons, who were pleased to approve of my services ⁴⁴."

Under the influence of councils so fertile in the invention of military distinctions, and in armies of which the soldier was roused by so many incentives to military ambition, the frequent change of commanders, which is commonly impolitic, proved a

⁴³ Five thousand in one field.

⁴⁴ Dionys. Hal. lib. x. c. 36. vel p. 362.

68 THE PROGRESS AND TERMINATION

B O O K

I.

perpetual renovation of the ardor and spirit with which armies were led. In public deliberations on the subject of war, the vehement ambition of individuals proved a continual incentive to vigorous resolutions, by which the State not only soon recovered the consequence which it seemed to have lost in its transition from Monarchy, but was speedily enabled to improve upon all its former advantages, as head of the Latin confederacy; frequently to vanquish the Sabines, the Hernici, the Volsci, and Etruscans, and, in about a hundred years after the expulsion of Tarquin, to extend its dominion greatly beyond the territories which had been in the possession of that prince. In one direction, from Falerium to Anxur, about sixty miles; and in the other, from the summits of the Appenines to the sea: And Rome, the metropolis of this little empire, was become, with a few competitors, one of the principal states of Italy.

U. C. 344.

The first and nearest object of its emulation at this period was Veiaë, an Etruscan principality, of which the capital, situated about nine miles from Rome, was built on an eminence, and secured by precipices.

The Romans, even before the change of their government from the form of a principality to that of a republic, had been in possession of the Tiber and both its banks; but on the right of this river were still circumscribed by the Veiaëntes, with whom they had waged long and desperate wars; and, as may be supposed among rivals in so close a neighbourhood, with imminent danger to both.

Veiaë, according to Dionysius, was equal in extent to Athens, and, like the other Etruscan cantons, was further advanced than Rome in the arts of peace, probably better provided with the resources of war, but inferior in the magnanimity of its councils and in the courage of its people. The Veiaentes being, after a variety of struggles, beat from the field, they retired within their walls, suffered themselves to be invested, and underwent a siege or blockade of ten years. The Romans, in order to reduce them, continued during those ten years in the field, without any interruption or distinction of seasons; made secure approaches, fortifying themselves in the posts which they successively occupied, and in the end entered the place by storm. C H A P.
II.
U. C. 357.

In these operations, we are told, that they learned to make war with more regularity than they had formerly practised; and having, some little time before, appointed a military pay for such of their people as served on foot, they at this time extended the same establishment to their horsemen or knights; imposed taxes on the people in order to defray this expence, and made other arrangements, which soon after enabled them to carry their enterprises to a greater distance, and to conduct them with more order and system: circumstances which, together with the accessions of territory and power, gained by the reduction of Veiaë, rendered this event a remarkable epocha in the history of Rome.

The use which they proposed to make of their conquest was partly founded in the original policy

BOOK

I.

of the State. The practice of incorporating vanquished enemies, indeed, with the Roman people, had been long discontinued: for even Tarquin, it is said, had introduced the custom of enslaving captives, and this fate the citizens of Veïæ underwent⁴⁵; but their lands, and the city itself, offered a tempting prize to the conquerors. And accordingly it was proposed to transplant into those vacant possessions and seats one half of the Roman Senate and people⁴⁶.

This proposal was extremely acceptable to persons of inferior condition, who hoped to double their possessions, and flattered themselves that they might double the power of the State: but it was strenuously opposed by the Senate and Nobles, as tending to divide and weaken the commonwealth, and as more likely to restore a rival than to strengthen themselves. It was eluded by a partial division of the Veïæan territory, in which seven *jugera*, or about four English acres, were assigned as the lot of a family; and by these means the more indigent citizens were provided for, without any hazard of dismembering the state.

But while the Romans were thus availing themselves of the spoils of a fallen enemy, and probably enjoying, on the extinction of their rival, a more than common degree of imagined security, they became themselves an example of the instabi-

⁴⁵ Liv. lib. v. c. 22.

⁴⁶ Ibid. lib. v. c. 24.

lity of human affairs; being assailed by a new and
unlooked-for enemy, who came like a stroke of
lightning on their settlement, dispersed their people,
and reduced their habitations to ashes.

CHAP.
II.

The Gauls, who are said to have passed the Alps in three several migrations about two hundred years before this date, being now masters of all the plains on the Po, and of all the coasts of the Adriatic to the banks of the river Sena, where they had a settlement, which, from their name, was called Sena Gallia; and being still bent on extending their possessions, or shifting their habitations, had passed the Appenines, and laid siege to Clusium, the capital of a small nation in Tuscany⁴⁷. The inhabitants of this place made application to the Romans for succour; but could obtain no more than a deputation to intercede with the Gauls in their behalf. The deputies who were sent on this business, and commissioned to act only as mediators, having appeared in arms on the side of the besieged, the Gauls complained of their conduct as a breach of faith, and as a departure from the neutrality which the Romans professed: And being denied satisfaction on this complaint, they dropped their design on Clusium, and turned their arms against these mediators, who had violated the laws of war. They advanced on the left of the Tiber, found the Romans posted to receive them on the Allia, a small river which was the limit of the Roman territory, in the country of the Sabines, about ten

⁴⁷ Liv. lib. v. c. 35, &c.

72 THE PROGRESS AND TERMINATION

BOOK

I.

miles from Rome; and, with the same impetuosity which hitherto attended them, they passed the Allia on the right of the Roman army, drove them into the angle that is formed by the confluence of the two rivers, put all who withstood them to the sword, and forced the remainder into the Tiber, where numbers perished, or, being cut off from their retreat to Rome, were dispersed in the neighbouring country.

U. C. 363.

This calamity is said to have so much stunned or overwhelmed the Roman people, that they made no farther attempt to defend their city. All the youth that were fit to carry arms retired into the Capitol. The weak or infirm, whether from sex or age, fled as from a place condemned to destruction, or suffered themselves to be surprised and cut off in the streets.

The Gauls, having employed three days in the pursuit and slaughter of those who fled from the field of battle, on the fourth day advanced towards the walls of Rome. But being alarmed at first by the general desertion of the battlements, which they mistook for an ambuscade or an artifice to draw them into a snare, they examined all the avenues with care before they ventured to enter the gates. The more effectually to dislodge every enemy, they set fire to the city, reduced it to ashes, and took post on the ruins, in order to besiege the Capitol, which alone held out⁴⁸. In this state of affairs, the republic, already so formidable to all its

⁴⁸ Plutarch, in vit. Camilli.

neighbours, was supposed to be extinguished for ever. The fame of its ruin reached even to Greece, where Rome began to be considered at this time as a rising and prosperous commonwealth ⁴⁹. C H A P.
II.

The Gauls remained in possession of the ruins for six months; during which time they made a fruitless attempt to scale the rock on which the Capitol was built; and being repulsed by Manlius, who, for his vigilance and valor on this occasion, acquired the name of Capitoline, they continued to invest and block up the fortress, in hopes of being able to reduce it by famine. The Romans, who were shut up in the Capitol, still preserved the forms of their commonwealth, and made acts in the name of the Senate and People. Sensible that Camillus, under whose auspices they had reduced the city of Veii, and triumphed over many other enemies, now in exile on the score of an invidious charge of embezzling the spoils he had won at that place, was the fittest person to retrieve their affairs; they absolved him of this accusation, reinstated him in the qualification to command their armies ⁵⁰; and, in order that he might assemble their allies and collect the remains of their late army, which was dispersed in the neighbouring country, vested him with the power of dictator. In this extremity of their fortunes, he overlooked his wrongs, procured numbers to resort to his standard, and hastened to arm for the preservation of his country. He came to the relief of the Capitol at a critical mo-

⁴⁹ Plutarch, in vit. Camilli.

⁵⁰ Liv. lib. v. c. 32.

74 THE PROGRESS AND TERMINATION

B O O K

I.

ment, when the besieged, being greatly reduced by famine, had already capitulated, and were paying a ransom for themselves and their remaining effects. Before this transaction was completed, he surprised the besiegers, obliged them to relinquish their prize, and afterwards, in a decisive battle that was fought in the neighbourhood of Rome, revenged the disaster which his countrymen had suffered on the banks of the Allia ⁵¹.

Whatever may have been the true account of this famous adventure, the Romans have given it a place in their history, retained a deep impression of their danger from the Gauls, and from thence dated the origin of some particulars in their policy, which seem to have arisen from such an impression. They set apart particular funds in the treasury, to be spared in all other possible exigencies of the State, and reserved for a resource in case of a Gaulish invasion. They subjected the magistrate to certain general restrictions, but allowed an exception in case of an invasion from the Gauls; and it is likely that, in the age in which they took these alarming impressions, they had not yet acquired those advantages of discipline and military skill, in which they were afterwards so much superior to the Gauls and other barbarous neighbours ⁵².

Although historians have amply supplied the detail of history before this event, they nevertheless

⁵¹ Liv. lib. v. c. 43, &c.

⁵² The establishment of the Legion, and the improvement made in the choice of its weapons and manner of array, are mentioned as subsequent to this date: And the Romans, it is confessed, made less progress in every other art than in that

acknowledge , that all prior evidence of facts perished in the destruction of Rome ; that all records and monuments of what the Romans had formerly been , were then to be gathered from the ruins of cottages , which had been for several months trodden under foot by a barbarous enemy ; that the laws of the Twelve Tables , the People's Charters of Right , and the Forms of the Constitution , were to be collected in fragments of plates which were dug from the rubbish of their former habitations ; and that nothing remaining to mark the former position of Rome , besides the Capitol , raised on its rock , and surrounded with ruins , the people deliberated whether they should attempt to renew their settlement on this ground , or transfer it to Veix. It had been formerly proposed to remove to that place one half of the Senate and people. It was then proposed , that they should chuse that as the proper ground on which to restore the name and the seat of their commonwealth. " Why , " said the promoters of this design , " attempt at a great expence , and with so much labor , to clear out the wretched ruins of a fallen city , while we have another , provided with private and public buildings of every sort , yet entire for our reception ? " To this specious argument might have been opposed the consideration of many advan-

of war. Their general , Camillus , at his triumph for the victory obtained over the Gauls , made his entry into Rome , having his visage painted with red ; a practice , says Pliny , which is yet to be found among nations of Africa , who remain in a state of barbarity , and which this natural historian was inclined to consider as a characteristic of barbarous manners.

76 THE PROGRESS AND TERMINATION

BOOK
I.

tages in their former situation; its place on a navigable river, its command of the passage from Latium to Etruria, and of the navigation of the Tiber from the descents of the Appenines to the sea. But motives of superstition and national pride were supposed to be of greater weight. "Would you," said Camillus, "abandon the seats of your ancestors? Would you have Veia restored, and Rome to perish for ever? Would you relinquish the altars of the Gods, who have fixed their shrines in these sacred places; to whose aid you are indebted for so many triumphs, and to whom you owe the conquest of those habitations for which you now propose to forsake their temples?"

Convinced by this argument, the Romans determined to remain in their ancient situation, proceeded to restore their habitations, and, in the course of a year, accomplished the work of rebuilding their city. An Æra from which, as from a second foundation, may be dated the rise of the commonwealth, and the beginning of a period, in which its history, though still controverted in some particulars, is less doubtful than before, or less disfigured with fable⁵³.

⁵³ Some parts, even of the history that follows, are doubtful. The names of Dictators and of Consuls, the reality of entire campaigns, as well as of single actions, are controverted (Liv. lib. i. c. 5. & 26. lib. v. c. 55. lib. viii. c. 38. lib. ix. c. 15.): But that which preceded this date rests almost on tradition alone (Liv. lib. vi. c. i.). It serves, however, to inform us what the Romans themselves believed; and is therefore the best comment we can have on the genius and tendency, as well as the origin, of their political institutions.

C H A P. III.

Scene of foreign War and domestic Dispute opened with reviving Rome. — Faction or Conspiracy of Manlius. — Condemnation. — Plebeians elected into the Office of Consular Tribunes. — Aspire to the Consulate. — The first Plebeian Consul. — Establishment of the Prætor. — Patrician Ediles. — The Plebeians qualified to hold all the Offices of State. — The Measure of Roman Magistracy complete. — Review of the Constitution. — Its seeming Defects. — But great Successes. — Policy of the State respecting foreign or vanquished Nations. — Formation of the Legion. — Series of Wars. — With the Samnites, Campanians. — The Tarentines. — Pyrrhus. — Sovereignty of Italy. — Different Footing on which the Inhabitants stood.

THE Romans were not allowed to restore their community, nor to rebuild their habitations, in peace. They were invaded by the Equi, the Volsci, the Hernici, the Etruscans, and some of their own Latin confederates¹; who dreading the re-establishment of a commonwealth, from which they had already suffered so much, and whose power was so great an object of their jealousy, made every effort to prevent it. During a period of one hundred and seventeen years which

C H A P.

III.

U. C. 365.

¹ Liv. lib. vi. c. 2. & 16.

78 THE PROGRESS AND TERMINATION

BOOK
I.

followed, they accordingly had to encounter a succession of enemies, in subduing of whom they became the sovereigns of Italy; while they continued to undergo internal convulsions, which as formerly, proved the birth of political institutions, and filled up the measure of their national establishment.

During this period, the Plebeians, far from being satisfied with their past acquisitions, made continual efforts to extend their privileges. The Tribunes, by traducing the Senate, and by displaying, in their harangues, the severities of the Patrician creditor, and the sufferings of the Plebeian debtor, still enflamed the animosity of their party. The republic itself was so feebly established, that ambitious citizens were encouraged, by means of faction raised among persons of the lower class, to have thoughts of subverting the government. In this manner Manlius, the famous champion of the Capitol, who, as has been observed, by his vigilance and valor, preserved that fortress from the Gauls, formed a design to usurp the sovereignty. Presuming on his merit in this and other services, he thought himself above the laws; and endeavouring, by his intrigues with the populace, to form a party against the State, he incurred, what was at Rome of all imputations the most detested, that of aspiring to be King. In opposition to this conspiracy, whether real or fictitious; the republic was committed to the care of a Dictator; and Manlius being brought before him, endeavoured to turn the suspicion of malice and envy against his accusers. He produced

four hundred citizens, whom he had redeemed from their creditors and released from chains. He produced the spoils of thirty enemies slain by himself in battle; forty badges of honor conferred on him by generals under whom he had served; many citizens whom he had rescued from the enemy, and in the number of those he had saved, he pointed at Caius Servilius, second in command to the Dictator, who now carried the sword of the State against the life of a person who had saved his own. And in the conclusion of his defence, "Such were the treasons," he said, "for which the friends of the People were to be sacrificed to the Senate."

His merits in the public service were great, and entitled him to any reward from the people, except a surrender of their liberties. His liberality to the more indigent citizens, if it proceeded from humanity, was noble; but if it proceeded from a design to alienate their affections from the public, or transfer them to himself, was a crime; and the most splendid services, considered as the artifices of a dangerous ambition, were the objects of punishment, not of reward.

The people, it is said, while they had in their view the Capitol, which had been saved by the vigilance and bravery of this unfortunate criminal, hesitated in their judgment; but their meeting being adjourned to the following day, and to a different place, they condemned him to be thrown from the rock on which he had so lately signalized his valor².

² Liv. lib. vi. c. 27.

80 THE PROGRESS AND TERMINATION

B O O K

I.

U. C. 366.

Such alarms to the general state of the commonwealth, had their temporary effect in suspending the animosity of parties; but could not reconcile their interests, nor prevent the periodical heats which continually arose on the return of disputes.

The Plebeians had been now above forty years in possession of a title to hold the office of Consular Tribune, but had not been able to prevail at any election³. The majority of the Centuries were still composed of Patricians; and when candidates of Plebeian rank were likely, by their personal consideration, to carry a majority, the other party, in such particular instances, had influence, enough, as has been observed, to revive the election of consuls, a title from which the Plebeians, by Law, were still excluded.

The Plebeians, however, by the zeal of their party, by the assiduity and influence of individuals who aspired to office, by the increase of their numbers in the first and second classes, by their alliance with the Patrician families in consequence of marriage, at last surmounted these difficulties, obtained the dignity of Consular Tribune for one of their own order, and from thenceforward began to divide the votes of the Centuries with the Patrician candidates. They were accordingly raised in their turn to what was then the first office of the State, and in which nothing was wanting but the title of Consul. To this too they were soon led to aspire; and were urged to make the concluding step in the rise of

³ Liv. lib. vi. c. 37.

their

their order, by the ambition of a female Patrician; who, being married into a Plebeian family, bore with impatience the mortifications to which she was exposed in the condition of her new relations. She excited her husband, she engaged her own kindred among the Patricians, she roused the whole Plebeian party to remove the indignities which yet remained affixed to their race, in being supposed unworthy to hold the consular dignity.

C H A P.
III.

Licinius Stolo, the husband of this lady, and Publius Sextius, another active and ambitious Plebeian, were placed in the College of Tribunes, in order to urge this point. They began the exercise of their office by proposing three very important laws: The first intended for the relief of insolvent debtors; by which all payments made on the score of interest, should be deducted from the capital, and three years be allowed to pay off the remainder.

U. C. 377.

A second law to limit the extent of estates in land, by which no citizen should be allowed to engross above five hundred Jugera*, or to have in stock above one hundred bullocks, and five hundred goats and sheep.

A third law to restore the election of Consuls, in place of Consular Tribunes, with an express provision that, at least, one of the Consuls should be of Plebeian descent.

The Patricians, having gained some of the Tribunes to their party, prevailed upon them to dissent

* About 300 English Acres.

82 THE PROGRESS AND TERMINATION

BOOK

I.

from their colleagues, and to suspend, by their negatives, all proceedings on the subject of these laws. The Tribunes, Licinius and Sextius, in their turn, suspended the usual election of magistrates, and put a stop to all the ordinary affairs of State.

An anarchy of five years ensued⁵, during which time the republic, bereft of all its officers, had no magistracy, besides the Tribunes of the People, who were not legally vested with any degree of executive power⁶. Any alarm from abroad must have suspended the contest at home, and forced the parties to a treaty: but they are said to have enjoyed, in this state of domestic trouble, uninterrupted peace with their neighbours; a circumstance from which we may infer, that, in most of their wars, they were themselves the aggressors, and owed this interval of peace to the vacancy of the Consulate, and to their want of the prompters, by whom they were usually excited to quarrel with their neighbours.

In the several questions, on which the parties were now at variance, the Patricians contended chiefly for the exclusion of Plebeians from the office or title of Consul; and, as an insuperable bar to their admission, still insisted on the sacrilegious profanation that would be incurred, by suffering the rites usually performed by the Consuls, to pass into Plebeian hands. This argument, instead of

⁵ From U. C. 377 to 382.

⁶ Liv. lib. vi. c. 35.

persuading the popular leaders to desist from their claim, only made them sensible that it was necessary to remove this impediment by a previous operation, before they attempted to pass through the way which it was meant to obstruct. They appeared then for a little to drop their pursuit of the Consulate; they affected to respect the claim of the Patricians, to retain the possession of places which had always been assigned to their order. But they moved, that the number of ordinary attendants on the sacred rites should be augmented from two to ten; and that of these one half should be named of Plebeian extraction.

While the Patricians continued to reject this proposal, on account of the effect it was likely to have on their pretensions in general, they gave way successively; and, at the interval of some years, first to the acts that were devised in favor of insolvent debtors; next, to the Agrarian law, or limitation of property in land; and last of all, to the new establishment relating to the priesthood, and to the communication of the Consulate itself to persons of Plebeian rank.

The authors of the new regulations, knowing that the majority of the Centuries was composed of Patricians, or was still under the influence of that order; were not satisfied with the mere privilege of being qualified to stand for the Consulate. They insisted, that at least one of the Consuls should be a Plebeian; and having prevailed in this, as in the other contested points, the Plebeian party entered immediately on the possession of their new privilege,

84 THE PROGRESS AND TERMINATION

B O O K and raised Publius Sextius, the Tribune, who had
 I. been so active in the cause of his constituents, to
 U. C. 387. the office of Consul.

But while the Patricians thus incurred a repeated diminution of their exclusive prerogatives, they endeavoured, by separating the judicative from the executive power of the Consul, and by committing the first to a Patrician officer, under the title of Prætor, to save a part from the general wreck.

It was intended that the Prætor should be subordinate, but next in rank, to the Consul. He was attended by two Lictors, and had his commission in very general terms, to judge of all differences that should be brought before him, and to hear the suits of the people until the setting of the sun. This unlimited jurisdiction, as we shall have occasion to observe, came to be gradually circumscribed by its own precedents, and by the accumulating edicts of successive Prætors. One person at first was supposed able to discharge all the duties of this office; but the number, in order to keep pace with the growing multiplicity of civil affairs, was afterwards gradually increased.

Another political change, by which the Patricians procured some compensation for what they had now surrendered, was made about the same time. The care of the public shows and entertainments had hitherto belonged to the Ediles of the People. The office of Edile being at its first institution expensive, was likely to become gradually more so by the frequent additions which were made to the festivals, and by the growing demands of the people

for shows and amusements. The Plebeians complained of this charge as a burden on their order, and the opposite party offered to relieve them of it, provided that two officers for this purpose, under the title of Curile Ediles, should be annually elected from among the Patricians².

C H A P.
III.

By these institutions the Nobles, while they admitted the Plebeians to partake in the dignity of Consul, reserved to their own order the exclusive right to the offices of Prætor and Edile: By the last of which they had the direction of sports and public entertainments; a station which, in a state that was coming gradually under the government of popular assemblies, became, in process of time, a great object of ambition, and a principal access to power.

The design or the effect of this institution did not escape the notice of the Plebeian party. They complained, that while the Patricians affected to resign the exclusive title to one office, they had engrossed two others, inferior only in name, equal in consideration and influence. But no exclusive advantage could be long retained by one order, while the other was occasionally possessed of the legislative and supreme executive power. All the offices, whether of Prætor or Edile, of Dictator or Cenfor, were, in process of time, filled with persons of either rank; and the distinction of Patrician or Plebeian became merely nominal, or served as a monument of the aristocracy which had subsisted in

² Liv. lib. vi. c. 42.

86 THE PROGRESS AND TERMINATION

BOOK 1. former ages. The only effect which it now had was favorable to the Plebeians; as it limited the choice of Tribunes to their own order, while, in common with the Patricians, they had access to every other dignity in the State.

U. C. 417.

Review of
the consti-
tution.

Such is the account which historians have given us of the origin and progress of the Roman constitution. This horde, in the earliest account of it, presented a distinction of ranks, under the titles of Patrician, Equestrian, and Plebeian; and the State, though governed by a prince, had occasional or ordinary assemblies, by which it approached to the form of a republic. Assemblies to which every citizen was admitted were termed the *Comitia*; those which were formed of the superior ranks, or of a select number, were termed the Senate. Among those who had attained the age of manhood, to be Noble and to be of the Senate were probably synonymous terms. But after the introduction of the Census, separate rolls were kept for the Senate, the Equestrian Order, and the People. These rolls were composed by different officers in successive periods of the State. A Senate was composed of a hundred members by Romulus*. This number was augmented or diminished at pleasure by his successors. The

* Liv. lib. i. c. 8. According to Livy the Senate consisted of no more than a hundred members at the death of Romulus; but, according to Dionysius, their numbers had been augmented by a popular election at the admission of the Sabines; some writers say to two hundred; others, only to one hundred and fifty. Dionys. lib. ii. c. 47.

Consuls succeeded in this matter to the prerogative of the Kings; and the Censors were appointed to exercise it, with the other duties of the Censur, as a principal part of their functions. It is remarkable, that, notwithstanding the great importance of the Senate in the government of their country, so little precaution was taken to ascertain who were to be its constituent members, or to fix their legal number. The body was accordingly fluctuating. Individuals were placed or displaced at the discretion of the officer intrusted with the muster, and the numbers of the whole increased or diminished indefinitely. The officers of State, though not enrolled, had access to the Senate; but their continuing members, after their year in office expired, depended on the discretion of the Censors. It seemed to be sufficient for the purposes of this constitution, that the Senate should be a meeting of the superior class of the citizens.

As the noble and popular Assemblies had their existence under the Kings, the transition from monarchy to republic in so small a State, by substituting elective and temporary Magistrates in place of the King, was easy. A sufficient occasion was given to it in the abuses which were felt in the last reign of the monarchy. The disorders incident to the shock of parties, who were set free from a former control, required, on occasion, the remedy of a discretionary authority vested in some person who might be intrusted with the public safety, and soon led to the occasional institution of a dictatorial power. The high prerogatives claimed and main-

Recapitulation.

88 THE PROGRESS AND TERMINATION

BOOK

I.

tained by one party, obliged the other to assume a posture of defence, and to place themselves under the conduct of leaders properly authorized to vindicate their rights. These rights were understood by degrees to imply equality, and, in the successive institutions that followed, put every citizen in possession of equal pretensions to preferment and honors; pretensions which were to be limited only by the great distinction which Nature has made between the capacities, merits, and characters of men, and which are subject, in every community, to be warped by the effects of education and fortune.

New departments of State, or additions to the number of officers employed in them, were continually suggested by the increase of civil affairs; and while the territory of the republic was but a small part of Italy, the measure of her political government was full, and the list of her officers complete. Functions which, in the first or simplest ages, were either unknown or had been committed to the King alone, were now thrown into separate lots or departments, and furnished their several occupations to two Consuls, one Prætor, two Censors, four Ediles, and eight Quæstors, besides officers of these different ranks, who, with the titles of Proconsul, Proprætor, and Proquæstor, and without any limitation of number, were employed wherever the exigencies of the State required their service.

In this account of the Roman constitution we are

come nearly to that state of its maturity' at which Polybius began to observe and to admire the felicity of its institutions, and the order of its administration. The Plebeians were now reconciled to a government to which they themselves had access, and citizens of every rank made great efforts of industry in a State in which men were allowed to arrive at eminence, not only by advantages of fortune, but likewise by personal qualities. The Senate and Assemblies of the People, the Magistrates and Select Commissioners, had each their departments, which they administered with an appearance of sovereign and absolute sway, and without any interfering of interests or jealousy of power.

The Consuls were destined to the command of armies; but, while at Rome, seemed to have the highest prerogatives in the administration of all civil and political affairs. They had under their command all the other officers of State, except the Tribunes of the People; they introduced all foreign ambassadors; and they alone could move the Senate on any subject of deliberation, and put their acts or determinations in writing. The Consuls, too, presided with a similar prerogative in the Assembly of the Centuries and in that of the Curiae, proposed the question, collected the votes, declared the majority, and framed the act. In all military preparations, in making their levies as well as in the command of the army, they were vested with

* As it stood in the fifth and sixth centuries of Rome.

90 THE PROGRESS AND TERMINATION

BOOK I.

high degrees of discretionary power ^{1°} over all the troops of the commonwealth, composed of Roman citizens or allies. They commanded the treasury, as far as necessary to the service on which they were employed, and had one of its Commissioners, or Quæstors, appointed to attend their court, and to receive their orders.

The Senate, however, had the ordinary administration of the revenue, took account of its receipts and disbursements, and suffered no money to be issued without their own decree, or the warrant of the Consul in actual service. Even the money decreed by the Censors for the repair of public buildings, and the execution of public works, could not be issued by the Quæstors without an act of the Senate to authorize it. All crimes and disorders that were committed among the free inhabitants of Italy, or municipal allies of the State, all disputes of a private or public nature that arose among them, came under the jurisdiction and determination of the Senate. All foreign embassies were received or dispatched, and all negotiations were conducted, by this body. In such matters the People did no more than affirm or reverse what the Senate, after mature deliberation, had decreed, and for the most part gave their consent as a matter of form; inasmuch, that while persons, who observed the high executive powers of the Consul, considered the State as monarchical; foreigners, on the contrary,

^{1°} Vid. Zonar. N° 501. Frontini Stratagemata, lib. iv. Val. Max. lib. ii. c. 7.

who resorted on public business to Rome, were apt to believe it an aristocracy vested in the Senate.

The People, notwithstanding, had reserved the sovereignty to themselves, and, in their several assemblies, exercised the powers of legislation, and conferred all the offices of State¹¹. They likewise, in all criminal matters, held the supreme jurisdiction. In their capacity of sovereign, they were the sole arbiters of life and death; and, even in their capacity of subjects, did not submit to restraints which, in every other State, are found necessary to government.

A citizen while accused of any crime, continued at liberty until sentence was given against him, and might withdraw from his prosecutors at any stage of the trial, even while the last Century was delivering its votes. A voluntary banishment from the Forum, from the meetings of the Senate, and the assemblies of the People, was the highest punishment, which any citizen, unless he remained to expose himself to the effects of a formal sentence, was obliged to undergo; and it was expressly stipulated, that, even at Tibur or Præneste, a few miles from Rome, a convict who had withdrawn from judgment should be safe¹².

¹¹ In the Centuries they enacted laws, and elected the officers of State. In the Curiae they appointed officers to military command.

¹² The laws of Publilius, which gave the power of legislation to the Plebeian Assemblies, and that of Valerius, which secured every citizen in the right of appeal to the People at large, after

92 THE PROGRESS AND TERMINATION

BOOK

I.

Parts so detached were not likely to act as one body, nor to proceed with any regular concert; and the State seems to have carried, in all its establishments, the seeds of dissension and tumult. It was long supported, nevertheless, by the uncommon zeal of its members in favor of a commonwealth in which they enjoyed so much freedom, and in which they were vested with so much personal consequence.

The several members of the constitution, while in appearance supreme, were in many respects dependent on each other.

The Consuls, while in office, had the meetings and determinations of the Senate and People, in a great measure, in their power; but they received this power from the People, and were accountable for the discharge of it at the expiration of their office.

The Senate could resolve, but they could not execute, until they had obtained from the People a confirmation of their acts, and were obliged to solicit the Tribunes for leave to proceed in any matter which these officers were inclined to oppose.

The Senate was constituted, or formed, at regular periods, at the discretion of the Consuls or Censors, officers named by the People.

The city, nevertheless, was over-awed by the Senate and officers of State. On great and alarm-

being repeatedly re-enacted, were now in full force (Liv. lib. x. c. 8.).

ing occasions, the People themselves were no longer sovereigns than they were allowed by the Senate and Consuls to hold this character. The Senate and Consuls having it in their power to name a Dictator, could at once transfer the sovereignty of the State to a single person, and subject every citizen to his authority. Every individual held his place on the rolls at the will of the Censors, and his property at the disposal of courts that were composed of Senators; the servants of the Public in general, who aimed at lucrative commissions, depended on the Senate, as administrators of the treasury, and trustees in the collection or disbursements of the public money¹¹; and every Roman youth, when embodied in the legions, intrusted his honors and his life in the hands of the Consul, or Commander in Chief¹⁴.

¹¹ The influence which the Senate possessed as administrators of the public treasury, according to Polybius, was very great. They had a number of commissions to give, in the collection of various duties levied on the navigators of rivers, the entry to sea-ports, the produce of mines, and demesne or public lands, chiefly let out for pasturage. They had likewise considerable disbursements on the repair of highways and public buildings; and in the execution of a variety of other works. In such transactions great numbers of people were concerned, as contractors, as partners with those who contracted with the Senate, or as creditors who advanced money to enable the contractors to perform their articles. In all these several capacities the parties depended on the will of the Senate, and continually attended at the doors of that assembly, soliciting commissions, pleading for an abatement of some condition, for delay in the execution of some article or relief in the case of unforeseen hardship or loss.

¹⁴ Polyb. lib. vi. c. 10, 11, 12, 13, 14.

BOOK
I.

The mass, however, was far from being so well compacted, or the unity of power so well established, as speculative reasoners sometimes think necessary for the order of government. The Senate and the popular Assemblies, in their legislative capacities, counteracted one another. The numbers required to constitute a legal Assembly of the People, the qualification of a citizen which entitled him to be considered as a member of the commonwealth, were still undetermined. Aliens settling at Rome were admitted on the rolls of the People, and citizens removing to the colonies were omitted. Laws, therefore, might be obtained in a clandestine manner, when the People, not sufficiently aware of the consequence of such laws, did not attend; or the question might be determined by the voice of a single alien, as often as the division was nearly equal, and a designing magistrate chose to place any number of aliens on the rolls for this purpose ¹⁵. The State took its laws, not only from

¹⁵ In the settlement of Romulus, recruits of every quality, whether out-laws, fugitives, or captives, were received without distinction.—In the first ages of the republic, aliens settling at Rome were admitted as citizens; and even placed on the rolls of the Senate.—The Tarquins, and the first of the Claudian family, were emigrants from the neighbouring cantons.—After the establishment of the Census or periodical muster, the King, the Consuls, and, last of all, the Censors, made up the rolls of the Senate and People at pleasure. They admitted upon it very readily every inhabitant of the city who claimed to be enrolled; but when a right of voting in any of the popular assemblies at Rome came to be considered as a privilege of moment, the inhabitants of Latium crowded to Rome in order

the Assemblies, which were held, however irregularly, within the capital, but from military C H A P.
III.

to obtain it. They were sometimes put upon the rolls by one Consul, and forbid the city by his colleague; and in every such case the negative, by a maxim of the Roman policy, prevailed.—Such as actually settled at Rome, sooner or later found means to be inserted in the Tribes; and the towns of Latium complained, that they were deserted by numbers of their people, who resorted to Rome for this purpose, and that they were likely to be depopulated. They obtained a law, by which Latin emigrants were excluded from the rolls of the Roman People, except they had left offspring to replace them in the country-towns they had left. And this seems to have been the first law enacted at Rome to regulate or restrain the naturalization of aliens. Some authors have affirmed, that, even while aliens were so easily admitted on the rolls of the People, Roman citizens, accepting of settlements in the colonies, forfeited their political rights. In this, however, it is probable, that the effects of mere absence have been mistaken for an express and formal exclusion. Whoever ceased to give in his name at the Census, or whoever left his ward or tribe in the city to reside at a distance, was not enrolled in the ward, nor placed in any class. It did not follow, however, that he had forfeited his right, or might not claim it as often as he attended the Census. In this case he was upon a foot of equality with every other citizen, and in the same manner received or rejected at the will of the Censor, or other officer who took the muster.

In this account of the Roman colonies, writers have followed the account of Sigonius, whose opinion, in every circumstance relating to the Roman history, is of great authority. In this particular, however, it happens, that the principal passage he has quoted in support of his opinion, is by some accident strangely perverted. Livy relates, lib. xxxiv. c. 42. that the people of Ferentinum, in the year of Rome five hundred and fifty-seven, started a new pretension, by which all Latins who gave

BOOK
I.

detachments and armies, when abroad in the

their names to be inscribed in any Roman colony should be considered as Roman citizens; but that the Senate rejected this claim when offered by persons who were annexed to the colonies of Puteoli, Salernum, and Buxentum. *Novum jus eo anno a Ferentinatibus tentatum, ut Latini, qui in coloniam Romanam nomina dedissent, cives Romanis essent. Puteolos, Salernumque et Buxentum adscripti coloni, qui nomina dederunt quum ob id se pro civibus Romanis ferrent; Senatus judicavit non esse eos cives Romanos.* There was a distinction between Roman colonies and colonies of Roman citizens. The first might be Latins, or other allies, planted under the authority of the Roman State. The second were probably citizens. And the whole amount of this passage was to prove, that Latins were not to be considered as Roman citizens, merely because they resided in some colony of Roman citizens. But the quotation of Sigonius is as follows, and gives a wonderful perversion to the passage in question: *De antiquo Jure Italiae*, lib. ii. c. 3. "Quare adscripti coloni nomine quidem erant cives Romani, re vero coloni. Testem postulatis? non longe abiero. Presto est Livius qui scribit, lib. xxxiv. Puteolos, Salernum et Buxentum *civium Roman.* Adscripti coloni, qui nomina dederant cum ob id se pro civibus ferrent; Senatus judicasse non esse eos cives Romanos; et alio loco narrat Ferentinales novum jus tentasse, ut Latini, qui in coloniam Romanam nomina dedissent, cives Romani essent."

The perversion of this quotation is remarkable. Different clauses of the same sentence are quoted as separate passages in different parts of the author. The order of the clauses is so placed, that the use of the first in explaining the second is lost, and the words *civium Roman.* are inserted. The passage in Livy, asserting that even Latins pleaded to be admitted as citizens, because they resided in some colony of citizens, proves the reverse of what Sigonius maintains, viz. that citizens removing to colonies were disfranchised.

field

field ¹⁶. Yet, under all these defects, as we have repeated occasions to observe, they enjoyed the most envied distinction of nations, continual prosperity, and an almost uninterrupted succession of statesmen and warriors unequalled in the history of mankind.

In about one hundred years after they began to restore their city from the ruins in which it was laid by the Gauls, they extended their sovereignty from the farthest limits of Tuscany on the one side, to

U. C. 265

The fact is, that, in the time of Livy and other historians, the distinction between Roman citizens, whether of the city or of the colonies, and the other inhabitants of Italy, was become a matter of antiquity and of mere curiosity; and therefore is not by them so fully and distinctly stated, as not to admit of dispute. The colonists ceasing to attend at elections, or in the Assemblies of the People, and not giving in their names at the musters, subjected themselves to all the effects of positive exclusion, although it is probable no such exclusion had taken place; for even aliens were not excluded by any positive law, and might be admitted on the rolls at the discretion of the officer who presided over the muster. Antiquarians, in search of ancient constitutions, sometimes suppose that rules must have existed, in order to have the pleasure of conjecturing what they were.

¹⁶ The Consul C. Marcius, U. C. 398, being encamped at Sutrium in Etruria, assembled his army in their tribes, and passed a law to raise the twentieth penny on the price of every slave that should be manumitted. The Senate, being pleased with the tax, confirmed the act; but the Tribunes, alarmed at the precedent, obtained a resolution, by which it was declared for the future to be capital for any person to propose any law in such detached or partial Assemblies of the People (Liv. lib. vii. c. 16.).

VOL. I.

H

98 THE PROGRESS AND TERMINATION

BOOK

I.

the sea of Tarentum and the straits of Messina on the other; and as the contest of parties at home led to a succession of political establishments, their frequent wars suggested the policy which they adopted respecting foreign nations, and the arrangement of their national force.

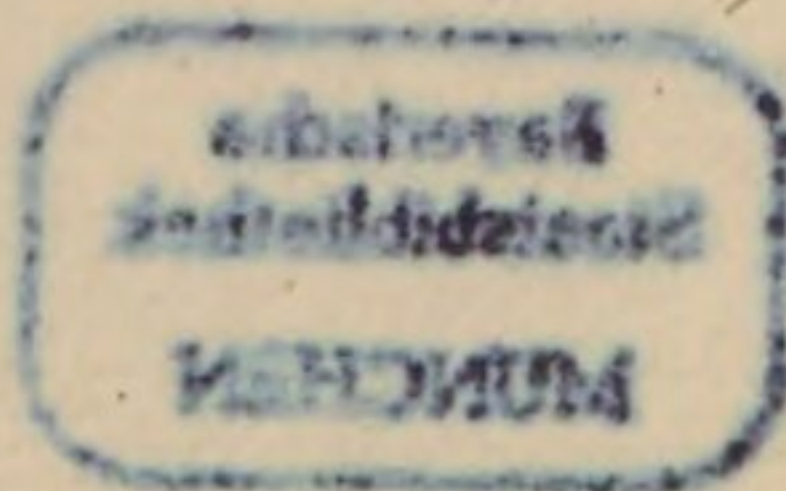
They had for some time discontinued the practice of admitting captives into the number of their People; but continued that of extending and securing their acquisitions, by colonies of their own citizens, or of such allies as they could most securely trust. They exacted from the cantons of Italy which they vanquished, contributions of subsistence and clothing for the benefit of their armies; and they generally imposed some condition of this sort as a preliminary to every negotiation or treaty of peace ¹⁷.

U. C. 415.

Their forces consisted of native Romans, and of their allies in Italy, nearly in equal parts. The legion, says Livy, had been formerly arrayed in a continued line, or compacted column ¹⁸; but, in the course of the wars which led to the conquest of Italy, came to be formed in divisions, and had different orders of light and heavy-armed infantry, as well as cavalry. The light-armed infantry were called the Velites, and were supposed to ply in the front, on the flank, or in the rear of the army; and their service was, to keep the heavy-armed foot undisturbed by missiles till they came into close action with the enemy.

¹⁷ Liv. lib. viii. c. 1. & 2. lib. ix. c. 43. x. c. 5. & 37.

¹⁸ Liv. lib. viii. c. 8.



The heavy-armed foot consisted of three orders, called the *Hastati*, *Principes*, and *Triarii*; of whom each had its separate divisions or maniples; and those of the different orders were placed in three different rows, and at distances from each other, equal to the front of the division. By this disposition the maniples of the first and second row could either act separately, or, by mutually filling up their intervals, could complete the line, leaving the *Triarii*, in time of action, as a body of reserve, to support the line, or fill up the place of any manipule that might be forced by the enemy. And, in order to facilitate occasionally this change of disposition, the divisions of one row faced the intervals of the other¹⁹. They were armed with the *pilum*,

¹⁹ This account of the Roman legion is not without its difficulties. It appears irrational to break and disperse the strength of a body in this manner; and Cæsar makes no mention of any such distinction of orders, of the maniples, of the rows in which they were formed, or of the intervals at which they fought. His legion consisted of ten cohorts, formed from right to left on a continued front. Polybius, however, one of the best military historians, and himself an eye-witness of the disposition of the Roman legion in action, as well as on the parade, is very explicit in his account of it; refers to it in the description of the Roman march (Polyb. lib. vi. c. 38.), in the description of every battle (Polyb. lib. iii. c. 1, 2, 3, 4.), and (Polyb. lib. xv. c. 10.) in stating the comparative advantages of the Roman legion and Macedonian phalanx (Polyb. lib. xvii. c. 28.). The phalanx being a column of indefinite depth, close ranks, and a continued front, with lances or spears, it was impregnable to the short sword and loose order of the Romans, so long as it preserved its front entire, and the spear-man made

B O O K which was a heavy javelin or spear to be cast at the
I. enemy, and with a short and massy sword fitted to strike or to thrust. They bore an oblong shield, four

no opening for the Roman soldier to enter within the point of his weapon.

It is observed that the Romans made their attack in separate divisions and at intervals, in order to bring on some irregularity in the front of the phalanx, and in order to make some openings by which the Roman soldier could enter with his sword, and, once within the point of his enemy's spear, could perform great slaughter with little resistance (Plutarch in vit. P. Emili. Liv. lib. xlv. c. 41. *Neque ulla evidentior causa victoriæ fuit quam quod multa passim prælia erant quæ fluctuantes ; turbarant primo, deinde disjecerunt phalanges*). From this account then it is probable, that the Romans did not divide their legion into orders and maniples, nor fight at intervals, until after they adopted the short stabbing sword, which is said to have been originally from Spain ; and that they continued to make this disposition so long only as they had to do with enemies who used the spear and continued front ; that after the social war in Italy and their own civil wars began, they discontinued the separate maniples, and fought to strengthen themselves against an army like their own, by presenting a continued front. Livy accordingly marks the time at which the formation of maniples, at intervals, was adopted. Polybius marks the continuance of it, and Cæsar evidently marks the discontinuance of it. It is extremely probable, that the last change was one of those made by Marius, and was introduced into the Roman armies in the social war.

The three orders of *Haftati*, *Principes*, and *Triarii*, were extremely proper to mark the distinction of classes subsisting among Roman citizens, who were, nevertheless, all of them equally bound, on occasion, to serve in the condition of private soldiers : And this may be one reason to incline us to ascribe the discontinuance of this distribution to Marius, who was a great leveller of ranks.

feet high by two and a half feet broad, with a helmet, breast-plate, and greaves. C H A P.
III.

In the structure of these weapons and this defensive armour, the Romans consulted at once both the principal causes of courage in a soldier, his consciousness of the means to annoy his enemy, and of a power to defend himself. And with these advantages they continued for ages to prevail in most of their conflicts, and were the model which other nations endeavoured to imitate²⁰ in the form of their armies, and in the choice of their weapons.

It is understood in the antiquities of this People, that when they were assembled for any purpose, whether of state or of war, they were termed the Army. In their musters a Plebeian was a foot soldier, the Knight a horseman, and the Legion a mere detachment of the whole, draughted for the year, or embodied for a particular service. The men, as well as the officers, in the first period of the History of the Republic, were annually relieved or exchanged; and even after it ceased to be the practice thus annually to relieve the private men, and after the same legions were employed during a succession of some years, yet the People, to the latest period of the commonwealth, continued to form the armies of their country; and the officer of state was still understood to command in virtue of his civil magistracy, or in virtue of a military qualification which never failed to accompany it. No citizen could aspire to any of the higher

²⁰ Polyb. lib. vi. c. 17, 18, 19, 20, 21, 22, 23, 24.

BOOK

I.

offices in the commonwealth, until he had been enrolled in the Legions, either ten years if on horseback, or sixteen years if on foot; and, notwithstanding the special commissions that were occasionally given for separate objects of state or of war, civil and military rank were never disjoined. Equal care was taken to furnish the rising statesman and warrior with the technical habits of either profession; or rather to instruct him, by his occasional application to both, not to mistake the forms of office in either for the business of state or of war, nor to rest his pretensions to command on any accomplishment short of that superior knowledge of mankind, and those excellent personal qualities of penetration, sagacity, and courage, which give the person possessed of them an ascendant, as a friend or as an enemy, in any scene or department of human affairs. It may be difficult to determine, whether we are to consider the Roman establishment as civil or military; it certainly united, in a very high degree, the advantages of both, and continued longer to blend the professions of state and of war together, than we are apt to think consistent with that propriety of character which we require in each: but to this very circumstance, probably, among others, we may safely ascribe, in this distinguished republic, the great ability of her councils, and the irresistible force with which they were executed²¹.

During a period of about one hundred and

²¹ Polyb. lib. vi. c. 17.

twenty years after the rebuilding of Rome, the Romans were engaged in a continual series of wars; first with the Latins and with their own colonies, who wished to disengage themselves from so unequal an alliance; afterwards with the Etruscans on the one hand, and with the Samnites, Campanians, and Tarentines on the other. They quarrelled with the Samnites first in behalf of the Campanians, who, in order to obtain their protection, made a surrender of themselves and of all their possessions. This act of surrender they afterwards had occasion to enforce against the Campanians themselves, who endeavoured, when too late, to recover their liberties.

The Samnites were a fierce nation, inhabiting that tract of the Appenines which extends from the confines of Latium to those of Apulia; and who, to the advantages of their mountainous situation, joined some singular and even romantic institutions²², which enabled them, during above forty years, from the time at which their wars with the Romans began, to maintain the contest²³, and to keep the balance of power in suspense.

During the dependence of this quarrel, the Ro-

²² Of this sort it is mentioned, that ten of the fairest of one sex were annually selected as prizes to be won by the bravest and most deserving of the other. Strabo, lib. v. fin. The Samnites furnished Roman generals with the subject of twenty-four triumphs, but mixed with checks and disgraces more remarkable than any they had received in the course of their wars with any other nation. Florus, lib. i. c. 16.

²³ Liv. lib. x. c. 21.

BOOK I. man armies frequently penetrated into Lucania and Apulia, and before they had reduced the Samnites, were known as protectors and allies, or had forced their passage as conquerors to the southern extremities of Italy. And the State itself, under a variety of titles, was in reality the head, or held a species of sovereignty over all the nations who occupied that part of the peninsula.

U. C. 473. The city of Tarentum, the most powerful of the Greek settlements in this quarter, having neglected her military establishments in proportion as she advanced in the arts of peace, was alarmed at the near approach of the Romans, and applied for protection to Pyrrhus the king of Epirus, at that time greatly distinguished among the military adventurers of Macedonia and Greece. They wished to employ the military skill of this prince, without being exposed to fall a prey to his ambition; and invited him to come, without any army of his own, to take the command of their people, whose numbers they magnified, in order to induce him to accept of their offer. But, like most foreign military protectors, he appears to have had, together with many schemes of ambition against those on whom he made war, some designs likewise on the State, he was brought to defend. With this double intention he did not rely on the forces of Tarentum, but passed into Italy at the head of a numerous army, formed on the model of the Macedonians, and accustomed to service in the wars of that country and of Greece.

This is the first enemy whose forces can be con-

sidered as a known measure, with which to compare, or by which we can estimate, the power and military attainments of the Romans. They had been victorious in Italy, but the character and prowess of the enemies they had vanquished are unknown. This prince knew the arts of war as they were practised in Macedonia and in Greece, and was reputed one of the first captains of that or any other age²⁴. He accordingly prevailed over the Romans in some of their first encounters; but found that partial victories did not subdue this people, nor decide the contest. Having vast schemes of ambition in Sicily and Africa, as well as in Italy, he suddenly suspended his operations against the Romans, to comply with an invitation he received from Syracuse, to possess himself of that kingdom in behalf of his son, who had some pretensions to it in the right of Agathocles, from whom he was descended.

In order to pursue this object, he endeavoured to obtain a peace or cessation of arms in Italy; but was told, that, in order to treat with the Romans, he must evacuate their country and return to his own²⁵. With this answer he passed into Sicily;

²⁴ Pyrrhus, it is said, was struck with the military aspect of the Romans, and admired in particular the form of their encampments. The Greeks always endeavoured to avail themselves of natural strengths, and accommodated the disposition of their camp to the ground; but the Romans, trusting only to their artificial works, pitched on the plain, and always encamped in the same form. Plutarch in vit. Pyrrhi.

²⁵ Liv. Epitome, lib. xiii. Plutarch in vit. Pyrrh.

BOOK and after some operations which were successful, though not sufficiently supported by his partisans in that country to obtain the end of his expedition, he returned again into Italy for the defence of Tarentum; but found that during his absence the Romans had made a considerable progress, and were in condition to repay the defeats they had suffered in the beginning of the war. Having brought this matter to the proof in several encounters, he committed the defence of Tarentum to one of his officers; and after this fruitless attempt to make conquests beyond the Ionian Sea, in which he had employed six years, he returned to his own country.

U.C. 481. The Romans continuing the war against Tarentum, in about two years after the departure of Pyrrhus from Italy, made themselves masters of the place. Here, it is mentioned, they found, for the first time, the plunder of an opulent city, containing the models of elegant workmanship in the fine arts, and the apparatus of an exquisite luxury. "In former times," says Florus, "the victorious generals of Rome exhibited in their triumphs herds of cattle driven from the Sabines and the Volsci, the empty cars of the Gauls, and broken arms of the Samnites: but in that which was shown for the conquest of Tarentum, the procession was led by Thessalian and Macedonian captives, followed with carriages loaded with precious furniture, with pictures, statues, plate, and other ornaments of silver and gold."

²⁶ Florus, lib. i. c. 18.

Spoils which, we may guess, in the first exhibition of them, were valued at Rome more as the public trophies of victory, than felt as the baits of private avarice, or the objects of a mean admiration. The Roman citizen as yet lived content in his cottage, furnished in the rudest manner; and he subsisted on the simplest fare, the produce of his own labor. Curius Dentatus, the Consul who obtained this triumph, having the offer of fifty *jugera* as a reward from the public for his services, would accept of no more than seven. This, he said, is the ordinary portion of a citizen, and that person must be an unworthy member of the commonwealth who can wish for more²⁷.

From the reduction of Tarentum the Romans may be considered as the sovereigns of Italy, although their dominion was extremely ill defined, either in respect to its nature or to its extent. They but in a few instances laid claim to absolute sovereignty, and least of all over those who were most

²⁷ A Roman citizen in this period might, by the Law of Licinius, have an estate of five hundred *jugera*, or about three hundred acres; but the ordinary patrimony of a noble family was probably far below this measure; and the lot of a citizen in the new colonies seldom exceeded seven *jugera*. The people were lodged in cottages and slept on straw (Plin. lib. xviii. c. 3. Cicer. pro Roscio, Val. Max. lib. iv. c. 3.). The Romans till a little before the siege of Tarentum, had no coin but copper, and estimated considerable sums more commonly by the head of cattle than by money. They coined silver for the first time U. C. 485. Gold was known as a precious material, and was sometimes joined with oxen in the reward of distinguished services. Liv. lib. iv. c. 30. Ibid. Epitome, lib. xv.

BOOK

I.

submissive to their power. It was their maxim to spare the obsequious, but to crush the proud²⁸; an artful profession, by which, under the pretences of generosity and magnanimity, they stated themselves as the sovereign nation. Under this presumptuous maxim their friendship was to be obtained by submission alone; and was, no less than their enmity, fatal to those who embraced it. The title of ally was, for the most part, no more than a specious name, under which they disguised their dominion, and under which they availed themselves of the strength and resources of other nations, with the least possible alarm to their jealousy or pride.

With the Latins they had early formed an alliance offensive and defensive, in which the parties mutually stipulated the number of troops to be furnished by each; the respective shares which each was to have in the spoils of their common enemies, and the manner of adjusting any disputes that might arise between them. This was the league which the Latins were supposed to have so frequently broken, and of which the Romans so often exacted the observance by force²⁹.

In the first struggles which they made to restore their settlement destroyed by the Gauls, and in the subsequent wars they had to maintain, during a hundred years, in support of their new establish-

²⁸ *Parcere subjectis & debellare superbos.*

²⁹ *Dionys. Hal. lib. vi. p. 415. Liv. lib. vi. c. 10. lib. ix. c. 43.*

ment, different cantons of these original confederates, as well as many of their own colonies, had taken very different parts, and in the treaties which ensued, obtained, or were sentenced to different conditions; some were admitted to the freedom of Rome, and partook in the prerogative of Roman citizens. A few were, by their own choice, in preference to the character of Roman citizens, permitted to retain the independency of their towns, and were treated as allies. Others, under pretence of being admitted to the freedom of Rome though without the right of suffrage, were deprived of their corporation establishments, and with the title of Citizens, treated as subjects. A few were governed in form by a military power, and by a Præfect or Magistrate annually sent from Rome ³⁰.

³⁰ The city of Capua, together with its district of Campania, was the first example of a provincial government established by the Romans in any of their conquests. The Campanians, in order to be protected against the Samnites, had delivered themselves up to the Romans. But they soon after became sensible of their folly, in trusting their defence to any force but their own, or in resigning their power as a State, with a view to preserve any thing else. When they perceived this error, they endeavoured, in conjunction with some of their neighbours, to form a party against their new masters; and being defeated in their attempts to recover their independence, were treated with the severity that is commonly employed against rebel subjects. Their senate and popular assembly, under pretence of suppressing seminaries of faction, were abolished, and a Præfect or Governor annually appointed (Liv. lib. ix. c. 20.). A similar course, under the same pretence, was soon after taken with

110 THE PROGRESS AND TERMINATION

BOOK

I.

From this unequal treatment arose the variety of conditions by which the natives of Italy were distinguished, as Colonies, Municipal Towns, Allies, Præfectures, or Provincial Governments, until about 181 years after this date, when, as will be mentioned in the sequel, the whole was put upon the same footing by the general admission of all the Italians upon the rolls of the Roman People.

Antium (Liv. lib. ix. c. 21.). This had been the principal seaport of the Volsci, and long the head of many formidable combinations against the Romans.

C H A P. IV.

Limits of Italy. — Contiguous Nations. — Ligurians. — Gauls. — Greek and Phœnician Colonies of Gaul and Spain. — Nations of Illyricum. — Of Greece. — Achaean League. — Thebans. — Athenians. — Asiatic Nations. — Pergamus. — Syria. — Egypt. — Carthage. — The Mamertines of Messina. — Occasion of the first War with Carthage. — Losses of the Parties. — Peace. — State of the Romans. — Political or Civil Institutions. — Colonies. — Musters. — Operation on the Coin. — Increase of the Slaves. — Gladiators. — Different Results of the War at Rome and Carthage. — Mutiny and Invasion of the Mercenaries at Carthage. — End of this War. — Cession of Sardinia. — War with the Illyrians. — First Correspondence of Rome with Greece.

AS the Romans, at the time to which our last observations refer, were become the sovereigns of Italy, or, by their ascendant in so powerful a country, were enabled to act a distinguished part among the nations around it; it is proper in this place to carry our observations beyond the boundaries of that Peninsula, and enumerate the powers that were then established on different sides of it, or beyond the narrow seas by which it was surrounded.

C H A P.
IV.

U. C. 481.

BOOK.

I.

Italy was not then supposed to comprehend the whole of that tract which has in later times been known under this name. Being bounded, as at present, on the South and East by the seas of Sicily and the bay of Tarentum, it extended no further to the North-west than to the Arnus on the one hand, and to the Rubicon on the other. Beyond these limits the western coasts were inhabited by a number of tribes, which, under the name of Ligurians, occupied the descents of the Appenines and the South of the Alps quite to the sea-shore. On the other side of the Appenines, from Senegaglia to the Alps, the rich and extensive plains on both sides of the Po were in the possession of Gaulish nations, who were said, some centuries before, to have passed the mountains, and who were then actually spread over a fertile tract of more than twelve hundred miles in circumference. They consisted of nine different hordes, that were supposed to have passed the Alps at different times. Of these the Laulebecii, Insubres, Cenomani, and Veneti occupied the northern banks of the Po, including what are now the states of Milan, Venice, and other parts of Lombardy on that side of the river. The Anianes, Boii, Ægones, and Senones, were settled to the southward, from the Po to the descents of the Appenines, and on the coasts of the Hadriatic to Senegaglia, over what are now the states of Parma, Modena, Bologna, and Urbino. In this favorable situation they appear to have abated much of their native ferocity, though without acquiring, in any considerable degree, the arts that improve the conveniencies

conveniencies of life. They fed chiefly on the milk or the flesh of their cattle, and were occupied entirely in the care of their arms and of their herds. By these, and the ornaments of gold, of which they were extremely fond, they estimated their riches. They were divided into Tribes or Cantons, and lived in cottages huddled together, without any form of towns or of villages. The leader of every horde was distinguished by his retinue, and valued himself chiefly on the number of his followers. They had made frequent encroachments on the states of Etruria and Umbria, but were met at last, and stopped in their progress, by the Romans. Such of them as were settled within the Rubicon, and from thence to Senegaglia, had, about three years before the arrival of Pyrrhus in Italy, been obliged to acknowledge the authority of the Roman State¹.

The coasts of the Mediterranean, to the westward of Italy, had been known to the nations of Greece and of Asia, and had received many colonies from thence, which formed trading settlements, and remained altogether distinct from the natives. Such were the Greek colonies at Marseilles, Emporiæ, Saguntum, and the Tyrian colony at Gades on the coast of the ocean. On the other side of Italy, and round the Hadriatic, were settled a number of small nations, the Istrians, Dalmatians, and Illyrians; of which, at the time when the Romans became acquainted with the navigation of this gulf,

¹ Polyb. lib. ii. c. 17. 19. 29.

114 THE PROGRESS AND TERMINATION

BOOK the Illyrians, being the chief or principal power,
I. extended eastward to the confines of Macedonia.

U. C. 421. Alexander the Great had finished the career of his victories about sixty years before this date. His hereditary dominions, as well as his personal conquests, were dismembered, and become the patrimony of officers, who had learned under him to affect the majesty and the power of kings. Macedonia was governed by Antigonus Dozon, who, together with the principality of Pella, held under his dependence Epirus, Thessaly, and Greece, to the isthmus of Corinth. He had contended with Pyrrhus, the late invader of Italy, for part of this territory; and, by the death of this adventurer, was now in possession of the whole.

On one part of the coast of the Ionian Sea, and on the Gulf of Corinth, were settled the Etolians, who, during the prosperity of Greece, had been an obscure and barbarous horde; but had now, by the confederacy of a number of cantons, laid many districts around them under contribution, and acted a distinguished part in the wars and transactions that followed.

On the other side of the Gulf of Corinth a similar confederacy was formed by the Achæan league. The name of Achæa, in the fabulous ages, was the most general denomination of Greeks. When other names, of Dorians and Ionians, of Athenians and Spartans, became more distinguished, the name of Achæans was appropriated to the tribes who occupied the sea-coast, or the Gulf of Corinth, from Elis to Sicyon. On this tract twelve little cantons,

Dymæ, Phara, Tritæa, Rhipes, Thafium, Patræ, Pellene, Ægium, Bura, Carynia, Olenos, and Hellice², having changed their government from principalities to republics, formed themselves into a league for their common defence. Hellice had been, from time immemorial, the seat of their assembly; but this place having been overwhelmed by an inundation of the sea, their meetings were transferred to Ægium.

In the more famous times of Sparta, Athens, and Thebes, these little cantons being situated on a poor and rocky shore, without shipping and without harbours³, were of no consideration in the history of Greece; they took no part in the defence of that country from the invasions of Darius, or of Xerxes, or in the divisions that followed under the hostile banners of Sparta and of Athens. They began, however, to appear in support of the liberties of Greece against Philip the father of Alexander, and partook with the other Greeks in the defeat which they received from that prince at Chæronea, and in all its consequences. Their league was accordingly dissolved by the conqueror, and some of their cantons separately annexed to the Macedonian monarchy. But about the time that Pyrrhus invaded Italy, Dymæ, Patræ, Phara, and Tritæa found an opportunity to renew their ancient confederacy. They were joined in about five years afterwards by the canton of Ægium, and

² Pausanias, lib. vii. c. 6.

³ Plutarch, in Vit. Arat. p. 321.

B O O K successively by those of Bura and Carynia. These,
I. during a period of about twenty years, continued to be the only parties in this famous league. They had a general congress; at which they originally elected two annual officers of state, and a common secretary. They afterwards committed the executive power to one officer; and, under the famous Aratus of Sicyon, united that republic, together with Corinth and Megara, to their league*.

About the time when the Romans became masters of Tarentum, this combination was become the most considerable power of the Peloponnesus, and affected to unite the whole of it under their banners; but Sparta, though greatly fallen from the splendor of her ancient discipline and power, was still too proud, or too much under the direction of her ambitious leaders, to suffer herself to be absorbed in this upstart confederacy; she continued for some time its rival, and was at last the cause, or furnished the occasion, of its fall.

The Thebans and Athenians, though still pretending to the dignity of independent nations, were greatly reduced, and ready to become the prey of any party that was sufficiently powerful to reach them, by breaking through the other barriers that were still opposed to the conquest of Greece.

In Asia, a considerable principality was formed round the city of Pergamus, and bore its name.

* Polyb. lib. ii. c. 3. and Pausanias, lib. vii.

Syria was become a mighty kingdom, extending from the coasts of Ionia to Armenia and Persia. This kingdom had been formed by Seleucus Nicanor, a principal officer in the army of Alexander, and it was now in the possession of his son, Antiochus Soter.

Egypt, in the same manner, had passed from the first Ptolemy to his son Philadelphus, who, upon the expulsion of Pyrrhus from Italy, had entered into a correspondence with the Romans. This kingdom included the island of Cyprus; and, having some provinces on the continent of Asia, extended from Cælo-Syria, of which the dominion was still in contest with Antiochus, to the deserts of Lybia on the west and on the south. Beyond these deserts, and almost opposite to the island of Sicily, lay the famous republic of Carthage, which was now possessed of a considerable territory, surrounded by the petty African monarchies, out of which the great kingdom of Numidia was afterwards formed.

The city of Carthage is said to have been founded about a hundred years earlier than Rome, and was now unquestionably farther advanced in the commercial and lucrative arts, and superior in every resource to Rome, besides that which is derived from the national character, and which is the consequence of public virtue.

In respect to mere form, the constitution of both nations was nearly alike. They had a senate and popular assemblies, and annually elected two officers of state for the supreme direction of their civil

118 THE PROGRESS AND TERMINATION

BOOK and military affairs ⁵; and even at Carthage the
L. departments of state were so fortunately balanced, as to have stood for ages the shock of corrupt factions, without having suffered any fatal revolution, or without falling into either extreme of anarchy or tyrannical usurpation. The frequent prospect indeed, which the Carthaginians had of incurring these evils, joined to the influence of a barbarous superstition, which represented the gods as delighted with human sacrifices, probably rendered their government in so high a degree inhuman and cruel. Under the sanguinary policy of this state, officers were adjudged, for mistakes or want of capacity, as well as for crimes, to expire on the cross, or were condemned to some other horrible punishment equally odious and unjust ⁶.

The Carthaginians being like Tyre, of which they were supposed to be a colony, settled on a peninsula, and at first without sufficient land or territory, to maintain any considerable numbers of people, they applied themselves to such arts as might procure a subsistence from abroad; and became, upon the destruction of Tyre, the principal merchants and carriers to all the nations inhabiting the coasts of the Mediterranean Sea. Their situation, so convenient for shipping, was extremely favorable to this pursuit; and their success in it soon put them in possession of a territory by which they became a landed as well as a naval power. They

⁵ Aristot. Polit. lib. ii. c. 11.

⁶ Orosius, lib. iv. c. 6.

visited Spain, under pretence of giving support and assistance to the city of Gades, which, like themselves, was a colony from Tyre. They became masters of Sardinia, and had considerable possessions in Sicily, of which they were extremely desirous to seize the whole. From every part of their acquisitions they endeavoured to derive the profit of merchants, as well as the revenue of sovereigns.

In this republic, individuals had amassed great fortunes, and estimated rank by their wealth. A certain estate was requisite to qualify any citizen for the higher offices of state; and, in the canvas for elections, every preferment, whether civil or military, was venal⁷. Ambition itself, therefore, became a principle of avarice, and every Carthaginian, in order to be great, was intent to be rich. Though the interests of commerce should have inculcated the desire of peace, yet the influence of a few leading men in the state, and even the spirit of rapacity which pervaded the people, the necessity to which they were often reduced of providing settlements abroad for a populace who could not be easily governed at home, led them frequently into foreign wars, and even engaged them in projects of conquest. But notwithstanding this circumstance, the community stifled or neglected the military character of their own citizens, and had perpetual recourse to foreigners, whom they trusted with their arms, and made the guardians of their wealth. Their armies, for the most part, were

⁷ Polyb. lib. vi. c. 54.

BOOK

I.

composed of Numidians, Mauritians, Spaniards, Gauls, and fugitive slaves from every country around them. They were among the few nations of the world who had the ingenuity, or rather the misfortune, to make war without becoming military, and who could be victorious abroad, while they were exposed to be a prey to the meanest invader at home.

Under this wretched policy, however, the first offices of trust and command being reserved for the natives, though the character of the people in general was mean and illiberal, yet a few, being descended of those who had enjoyed the higher honors of the state, inherited the characters of statesmen and warriors; and, instead of suffering by the contagion of mercenary characters, they derived some additional elevation of mind from the contrast of manners they were taught to despise. And thus, though the State, in general, was degenerate, a few of its members were qualified for great affairs. War, and the other objects of state, naturally devolved on such men, and occasionally rendered them necessary to a sedentary or corrupted people, who, in ordinary times, were disposed to slight their abilities, or to distrust their power. They became unfortunately a party for war in the councils of their country, as those who were jealous of them became, with still less advantage to the public, a party for peace; or, when at war, a party who endeavoured to embarrass the conduct of it; and, under the effects of misfortune, were ever

ready to purchase tranquillity by the most shameful and dangerous concessions. CHAP.
IV.

Carthage being mistress of the sea, was already long known on the coasts of Italy: she had treaties subsisting with the Romans above two hundred years, in which they mutually settle the limits of their navigation, and the regulations of their trade. And the Romans, as parties in these treaties, appear to have had intercourse with foreign nations by sea, earlier than is stated in the other parts of their history.

In the first of those treaties, which is dated in U. C. 244 the consulate of L. Junius Brutus and M. Horatius, the first year of the commonwealth, the Romans engaged not to advance on the coast of Africa, unless they were forced by an enemy, or by stress of weather, beyond the Fair Promontory, which lay about twenty leagues to the westward of the Bay of Carthage.

It was agreed, that, even in these circumstances, they should remain no longer than five days, and supply themselves only with what might be necessary to refit their vessels, or to furnish them with victims for the usual sacrifices performed at sea. But that in Sardinia, and even in Africa, to the west of this boundary, they should be at liberty to trade and to dispose of their merchandize without paying any duties besides the fees of the crier and clerk of sale, and that the public faith should be pledged for the payment of the price of all goods sold under the inspection of these officers.

BOOK
I.

That the ports of Sicily should be equally open to both nations.

That the Carthaginians, on their part, should not commit any hostilities on the coast of Latium, nor molest the inhabitants of Ardæa, Antium, Laurentium, Circeii, Terracina, or of any other place in alliance with the Romans; that they should not attempt to erect any fortrefs on that coast; and that, if they should land at any time with an armed force, they should not, upon any account whatever, remain a night on shore.

By a subsequent treaty, in which the states of Utica and Tyre are comprehended as allies to both parties, the former articles are renewed with additional limitations to the navigation and trade of the Romans, and with some extension to that of the Carthaginians. The latter, for instance, are permitted to trade on the coast of Latium, and even to plunder the natives, provided they put the Romans in possession of any strong-holds they should seize on shore; and provided they should release, without ransom, such of the allies of the Romans as became their prisoners.

U. C. 474.

Upon the arrival of Pyrrhus in Italy, with an armament which equally alarmed both nations, the Romans and Carthaginians again renewed their treaties with an additional article, in which they agreed mutually to support each other against the designs of that prince, and not to enter into any separate treaty with him inconsistent with this defensive alliance: and further stipulated, that, in the wars which were expected with this enemy, the

Carthaginians, whether as principals or auxiliaries, should furnish the whole shipping, both transports and armed galleys; but that the expence of every armament should be defrayed at the charge of that party in whose behalf it was employed^{*}.

In observance probably of the last of these treaties, and by mutual concert, though with considerable jealousy and distrust of each other, the forces of these nations combined in reducing the garrison which Pyrrhus had left at Tarentum. Each had their separate designs on the place; and when its fate was determined, from thenceforward considered the other as their most dangerous rival for dominion and power. Pyrrhus, even when they were joined in alliance against himself, is said to have foreseen their quarrels, and to have pointed at the island of Sicily as the first scene of their contest.

The Carthaginians were already in possession of Lylibæum, and of other posts on this island, and had a design on the whole. The Romans were in sight of it, and, by their possession of Rhegium, commanded one side of the Straits. The other side was occupied by the Mamertines, a race of Italian extraction, who, being placed at Messina by the king of Syracuse to defend that station, barbarously murdered the citizens, and took possession of their habitations and effects.

This horrid action was afterwards imitated by a Roman legion posted at Rhegium during the late

^{*} Polyb. lib. iii. c. 3.

BOOK

I.

wars in Italy: these likewise murdered their hosts, and seized their possessions; but were punished by the Romans, for this act of cruelty and treachery, with the most exemplary rigor. They were conducted in chains to Rome, scourged, and beheaded by fifties at a time. The crime of the Mamertines was resented by the Sicilians in general with a like indignation; and the authors of it were pursued by Hiero king of Syracuse in particular, with a generous and heroic revenge. They were, at length, reduced to such distress, that they were resolved to surrender themselves to the first power that could afford them protection. But, being divided in their choice, one party made an offer of their submission to the Carthaginians, the other to the Romans. The latter scrupled to protect a crime of which they had so lately punished an example in their own people⁹. And, while they hesitated on the proposal, the Carthaginians, favored by the delay of their rivals, and by the neighbourhood of their military stations, got the start of their competitors, and were received into the town of Messina.

This unexpected advantage gained by a power of which they were jealous; and the danger of suffering a rival to command the passage of the Straits, removed the scruples of the Romans; and the officer who commanded their forces in the contiguous parts of Italy, had orders to assemble all the shipping that could be found on the coast from Taren-

⁹ Polyb. lib. i. c. 10.

tum to Naples, to pass with his army into Sicily, and endeavour to dispossess the Carthaginians from the city of Messina. CHAP.
IV.

As soon as this officer appeared in the road with a force so much superior to that of his rivals, the party in the city, that favored the admission of the Romans, took arms, and forced the Carthaginians to evacuate the place *.

Here commenced the first Punic war, about ten years after the departure of Pyrrhus from Italy, eight years after the surrender of Tarentum, and in the four hundred and ninetieth year of Rome. In this war, the first object of either party was no more than to secure the possession of Messina, and to command the passage of the Straits which separate Italy from Sicily; but their views were gradually extended to objects of more importance, to the sovereignty of that island, and the dominion of the seas.

The contest between them was likely to be extremely unequal. On the one side appeared the resources of a great nation, collected from extensive dominions, a great naval force, standing armies, and the experience of distant operations. On the other, the ferocity or valor of a small State, hitherto exerted only against their neighbours of Italy, who, though subdued, were averse to subjection, and in no condition to furnish the necessary supplies for a distant war; without commerce or revenue, without any army but what was annually

* Polyb. lib. i. c. 12.

BOOK I. formed by detachments from the people, and without any officers besides the ordinary magistrates of the city; in short, without any naval force, or experience of naval or distant operations.

Notwithstanding these unpromising appearances on the side of the Romans, the commanding aspect of their first descent upon Sicily procured them not only the possession of Messina, but soon after determined Hiero, the king of Syracuse, hitherto in alliance with the Carthaginians, to espouse their cause, to supply their army with provisions, and afterwards to join them with his own. Being thus reinforced by the natives of Sicily, they were enabled to recal part of the force with which they began the war; continued, though at a less expense, to act on the offensive; and drove the Carthaginians from many of their important stations in the island¹¹.

While the arms of the Romans and of Hiero were victorious on shore, the Carthaginians continued to be masters of the sea, kept possession of all the harbours in Sicily, overawed the coasts, obstructed the military convoys from Italy, and alarmed that country itself with frequent descents. It was evident, that, under these disadvantages, the Romans could neither make nor preserve any maritime acquisitions; and it was necessary, either to drop the contest in yielding the sea, or to endeavour, on that element likewise, to cope with their rival. Though not altogether, as historians repre-

¹¹ Polyb. lib. i.

sent them, unacquainted with shipping, they were certainly inferior to the Carthaginians in the art of navigation, and altogether unprovided with ships of force. Fortunately for them, neither the art of sailing, nor that of constructing ships, was yet arrived at such a degree of perfection as not to be easily imitated by nations who had any experience or practice of the sea. Vessels of the best construction that was then known were fit to be navigated only with oars, or in a fair wind and on a smooth sea. They might be built of green timber; and, in case of a storm, could run ashore under any cover, or upon any beach that was clear of rocks. Such ships as these, the Romans, without hesitation, undertook to provide. Having a Carthaginian galley accidentally stranded at Messina for a model, it is said, that, in sixty days from the time that the timber was cut down, they fitted out and manned for the sea one hundred gallies of five tier of oars, and twenty of three tier. Vessels of the first of these rates carried three hundred rowers, and two hundred fighting men.

The manner of applying their oars from so many tiers, and a much greater number which they sometimes employed, has justly appeared a great difficulty to the mechanics and antiquarians of modern times, and is confessedly not well understood.

The Romans, while their gallies were building, trained their rowers to the oar on benches that were erected on the beach, and placed in the form of

BOOK

I.

those of the real galley¹². Being sensible that the enemy must be still greatly superior in the management of their ships and in the quickness of their motions, they endeavoured to deprive them of this advantage, by preparing to grapple, and to bind their vessels together. In this condition the men might engage on equal terms, fight from their stages or decks as on solid ground, and the Roman buckler and sword have the same effect as on shore.

With an armament so constructed, still inferior to the enemy, and even unfortunate in its first attempts, they learned, by perseverance, to vanquish the masters of the sea on their own element; and not only protected the coasts of Italy, and supported their operations in Sicily, but, with a powerful fleet of three hundred and thirty sail, overcame at sea a superior number of the enemy, and carried the war to the gates of Carthage¹³.

U. C. 498.

On this occasion took place the famous adventure of Regulus; who being successful in his first operations, gave the Romans some hopes of conquest in Africa: but they were checked at once by the defeat of their army, and the captivity of their general. This event removed the seat of the war again into Sicily; and the Romans, still endeavouring to maintain a naval force, suffered so many losses, and incurred so many disasters by storms, that they were, during a certain period of the

¹² Polyb. lib. i. c. 20, 21.¹³ Ibid. lib. i. c. 27.

war,

war, disgusted with the service at sea, and seemed to drop all pretensions to power on this element. The experience of a few years, however, while they endeavoured to continue their operations by land without any support from the sea, made them sensible of the necessity they were under of restoring their shipping, and they did so with a resolution and vigor which enabled them once more to prevail over the superior skill and experience of their enemy.

In this ruinous contest both parties made the utmost efforts, and the most uninterrupted exertion of their forces. Taking the forces of both sides, in one naval engagement, five hundred gallies of five tier of oars, with two hundred and fifty thousand men, and in another, seven hundred gallies, with three hundred and fifty thousand men, were brought into action¹⁴; and in the course of these struggles the Romans lost, either by tempests or by the hands of the enemy, seven hundred gallies; their antagonists, about five hundred¹⁵. In the result of these destructive encounters, the Carthaginians, beginning to balance the inconveniencies which attended the continuance of war against the concessions that were necessary to obtain peace, came to a resolution to accept of the following U. C. §12. terms:

That they should evacuate Sicily, and all the islands from thence to Africa:

¹⁴ Polyb. lib. i. c. 26.

¹⁵ Ibid. c. 63.

BOOK

I.

That they should not for the future make war on Hiero king of Syracuse, nor on any of his allies:

That they should release all Roman captives without any ransom:

And within twenty years pay to the Romans a sum of three thousand Euboic talents ¹⁶.

Thus the Romans, in the result of a war, which was the first they undertook beyond the limits of Italy, entered on the possession of all that the Carthaginians held in the islands for which they contended; and, by a continuation of the same policy which they had so successfully pursued in Italy, by applying to their new acquisitions, instead of the alarming denomination of *Subject*, the softer name of *Ally*, they brought Hiero, who was sovereign of the greater part of Sicily, into a state of dependence on themselves.

Their manners, as well as their fortunes, were a perfect contrast to those of the enemy they had vanquished. Among the Romans, riches were of no account in constituting rank. Men became eminent by rendering signal services to their country, not by accumulating wealth. Persons of the first distinction subsisted in the capacity of husbandmen by their own labor; and, with the fortunes of peasants, rose to the command of armies, and the first offices of State. One Consul, of the name of Regulus, was found, by the officer who came to announce his election, equipped with the sheet

¹⁶ Polyb. c. 62, &c.

or the basket, and sowing the seed of his corn in the field. Another, better known, of the same name, while he commanded in Africa, desired to be recalled, in order to replace the instruments of husbandry, which, to the great distress of his family, and the hazard of their wanting food, a fugitive slave had carried off from his land. The Senate refused his request, but ordered the farm of their general to be tilled at the public expense ¹⁷.

The association of pomp and equipages with rank and authority, it may be thought, is accidental, and only serves to distract the attention which mankind owe to personal qualities. It nevertheless appears to be in some measure unavoidable. Superiority is distinguished, even in the rudest nations, by some external mark. Duillius had his piper and his torch, in honor of the first naval victory obtained by his country ¹⁸; and the Romans acknowledged the external ensigns of state, although they were still rude in the choice of them.

At this time, when the nation emerged with so much lustre beyond the boundaries of Italy, the parties which divided the State, and whose animosity sharpened so much the pangs which preceded the birth of many of its public establishments, had no longer any object of contest. The officers of State were taken promiscuously from either class of the people, and the distinction of Plebeian and

¹⁷ Valer. Maxim. lib. iv. c. 4. Liv. Epitom. lib. xviii. Seneca ad Albinam. c. 12. Auctor de versibus illustribus.

¹⁸ Liv. Epitom. lib. xvii. xviii.

BOOK

I.

Patrician had in a great measure lost its effect. A happier species of aristocracy began to arise from the lustre of personal qualities, and the honors of family, which devolved upon those who were descended from citizens who had borne the higher offices of State, and were distinguished in their country's service.

The different orders of men in the commonwealth having obtained the institutions for which they severally contended, the number of officers was increased, for the better administration of affairs, which were fast accumulating. Thus a second Prætor was added to the original establishment of this office; and, as the persons who held it were destined to act either in a civil or military capacity, to hear causes in the city, or to command armies in the field. They were assisted in the first of these functions by a new institution, that of the Centumvirs, or the Hundred, who were draughted from the Tribes, and appointed, during the year of their nomination, under the direction of the Prætors, to take cognizance of civil disputes. The number of Tribes being now completed to thirty-five, and three of the Centumvirs being draughted from each, made the whole amount to a hundred and five ¹⁹.

The city, during the late destructive war, sent abroad two colonies, one to Castrum Innui, a village of the Latins, the other to Firmium in the Picenum, on the opposite side of the peninsula,

¹⁹ Liv. Epitom. lib. xx.

intended rather to guard and protect the coast, than to provide for any superabundance of the people, whose numbers at this time underwent a considerable diminution²⁰; the rolls having decreased in the course of five years, from two hundred and ninety-seven thousand two hundred and twenty-seven, to two hundred and fifty-one thousand two hundred and twenty-two²¹. The revenue, to which citizens who were accustomed to pay with their personal service, had little to spare from their effects, and which was at all times probably scanty, being often exhausted by the expenses of the late war, brought the community under the necessity of acquitting itself of its debts, by diminishing the weight, or raising the current value of its coin. The *as*, which was the ordinary measure of valuation, being the *libra*, or pound of copper stamped,

²⁰ Livy, in different places, mentions between thirty and forty Roman colonies subsisting in Italy in the time of the second Punic war (Liv. lib. xxvii. c. 9 & 38.). Velleius Paterculus reckons about forty planted in Italy after the recovery of Rome from its destruction by the Gauls (Lib. i. c. xv.). And Sigonius, collecting the names of all the colonies mentioned by any Roman writer as planted in Italy, has made a list of about ninety. But this matter, which so much interests this very learned antiquarian and many others, was become, as we have mentioned, a subject of mere curiosity, even in the times of the writers from whom our accounts are collected; as all the Italians were by that time admitted on the roll of Roman citizens by the law of L. Julius Cæsar, and in consequence of the Marfic war. U. C. 663.

²¹ Liv. Epitom. lib. xix.

BOOK and hitherto containing twelve ounces, was reduced
I. in its weight to two ounces ²².

The contribution now exacted from Carthage amounting to about two hundred and seventy-nine thousand pounds, together with the rents to be collected in Sicily, were likely to be great accessions of wealth to such a State.

The spoils of their enemies, for the most part, consisted of prisoners who were detained by the captor as his slaves, or sent to market to be sold. They had made a prize of twenty thousand captives in their first descent upon Africa; and the number of slaves in Italy was already become so great as to endanger the State ²³.

The favorite entertainments of the People were combats of armed slaves, known by the name of gladiators, derived from the weapons with which they most frequently fought. Such exhibitions, it is said, were first introduced in the interval between the first and second Punic war, by a son of the family of Brutus, to solemnize the funeral of his father. Though calculated rather to move pity and cause horror, than to give pleasure; yet, like all other scenes which excite hopes and fears, and keep the mind in suspense, they were admired by the multitude, and became frequent on all solemn occasions or festivals.

In the circumstances or events which immediately followed the peace between Rome and Carthage,

²² Plin. Hist. Nat. lib. xxxiii. c. 8.

²³ Zonar. lib. ii. Orosius, lib. ii. c. 7.

those nations showed the different tendency of their institutions and manners. The Romans, in the very struggles of a seemingly destructive contest, had acquired strength and security, not only by the reputation of great victories, but still more by the military spirit and improved discipline and skill of their people by sea and by land. Although their subjects in Italy revolted, and their allies withdrew their support, yet both were soon reduced, at the first appearance of those veteran soldiers who had been formed in the service of the preceding war.

The Carthaginians, on the contrary, had made war above twenty years without becoming more warlike; had exhausted their resources, and consumed the bread of their own people in maintaining foreign mercenaries, who, instead of being an accession of strength, were ready to prey on their weakness, and to become the most formidable enemies to the state they had served. Their army, composed, as usual, of hirelings from Gaul, Spain, and the interior parts of Africa, estimated their services in the war which was then concluded at a higher value than the State was disposed to allow, and attempted to take by force what was refused to their representations and claims. Being assembled in the neighbourhood of Carthage to receive the arrears of their pay, the Senate wildly proposed, in consideration of the distressed condition of the public revenue, that they should make some abatement of the sums that were due to them. But the State, instead of obtaining the abatements which were

B O O K I. thus proposed, only provoked men with arms in their hands to enter into altercations, and to multiply their claims and pretensions. The mercenaries took offence at the delays of payment, rose in their demands upon every concession, and marched at last to the capital, with all the appearances and threats of an open and victorious enemy. They issued a proclamation on their march, inviting all the provincial subjects of the commonwealth to assert their freedom, and, by the numbers that flocked to them from every quarter, became a mighty host, to which the city had nothing to oppose but its walls. To effectuate the reduction of Carthage, they invested Tunis and Utica, and submitted to all the discipline of war from the officers whom they themselves had appointed to command.

In this crisis, the republic of Carthage, cut off from all its resources and ordinary supplies, attacked with that very sword on which it relied for defence, and in a situation extremely deplorable and dangerous, having still some confidence in the ability of their Senators, and in the magnanimity of officers tried and experienced in arduous and perilous situations, was not altogether reduced to despair. Although the people had committed their arms into the hands of strangers, the command of armies had been still reserved to their own citizens; and now, by the presence and abilities of a few great men, they were taught to assume a necessary courage, to put themselves in a military posture, and to maintain, during three years, and through a

scene of mutual cruelties and retaliations, unheard of in the contest of nations at war, a struggle of the greatest difficulty. In this struggle they prevailed at last by the total extirpation of this vile and outrageous enemy²⁴.

During the dependence of this odious revolt, in which a mercenary army endeavoured to subdue the State which employed them, the Romans preserved that character for generosity and magnanimity of which they knew so well how to avail themselves, without losing any opportunity that offered for the secure advancement of their power. They refrained from giving any countenance even against their rival to such unworthy antagonists. They affected to disdain taking any advantage of the present distresses of Carthage, and refused to enter into any correspondence with a part of the rebel mercenaries, who, being stationed in Sardinia, offered to surrender that island into their hands. They prohibited the traders of Italy to furnish the rebels with any supply of provisions or stores, and abandoned every vessel that presumed to transgress these orders, to the mercy of the Carthaginian cruisers which plied before the harbours of Tunis and Utica. Above five hundred Roman prisoners, seized by these cruisers, were detained in the jails of Carthage. At the termination, however, of this war, when the Carthaginians were far from being disposed to renew any quarrel whatever, the Romans fixed on this as a ground of dispute, com-

²⁴ Polyb. lib. i. c. 67.—fine.

B O O K I. plained of piracies committed against the traders of Italy, under pretence of intercepting supplies to the rebels; and, by threatening immediate war upon this account, obtained from the State itself a surrender of the island of Sardinia, which they had refused to accept from the rebels, and got an addition of two hundred talents to the sum stipulated in the late treaty of peace, to make up for their pretended losses by the supposed unwarrantable capture of their ships ²⁵.

Upon this surrender the Sardinians bore with some discontent the change of their sovereigns; and, on the first prohibition of their usual commerce with Carthage, to which they had been long accustomed, took arms, and endeavoured for some time to withstand the orders which they were required to obey.

Soon after the Romans had reconciled these new acquired subjects to their government, had quelled a revolt in Tuscany, and vanquished some cantons of Liguria, whom it is said they brought to submit as fast as the access to that country could be opened, they found themselves at peace with all the world ²⁶; and, in token of this memorable circumstance, shut the gates of the temple of Janus; a ceremony which the continual succession of wars, from the reign of Numa to the present time, had prevented, during a period of four hun-

²⁵ Polyb. lib. i. c. 88. lib. iii. c. 10. Appian de Bell. Punic. p. 4.

²⁶ Florus, lib. ii. c. 3. Eutrop. lib. ii.

dred and thirty years; a ceremony, which, when performed, marked a situation as transient as it was strange and uncommon.

C H A P.
IV.

Fresh disturbances in some of the possessions recently seized by the republic, and a quarrel of some importance that carried her arms for the first time beyond the Hadriatic, embroiled her anew in a succession of wars and military adventures.

The Illyrians had become of late a considerable nation, and were a party in the negotiations and quarrels of the Macedonians and the Greeks. Having convenient harbours and retreats for shipping, they carried on a piratical war with most of their neighbours, and, in particular, committed depredations on the traders of Italy, which it concerned the Romans, as the sovereigns of this country, to prevent. They accordingly sent deputies to complain of these practices, to demand a reparation of past injuries, and a security from any such attempts for the future. The Illyrians at this time were under the government of Teuta, the widow of a king lately deceased, who held the reins of government as guardian to her son. This princess, in answer to the complaints and representations of the Romans, declared, that in her kingdom no public commission had ever been granted to make war on the Italians; but she observed, that the seas being open, no one could answer for what was transacted there; and that it was not the custom of kings to debar their subjects from what they could seize by their valor.

BOOK To this barbarous declaration one of the Roman
I. deputies replied, that his country was ever governed by different maxims, that they endeavoured to restrain the crimes of private persons by the authority of the State, and should, in the present case, find a way to reform the practice of kings in this particular. The queen was incensed; and resenting these words, as an insult to herself, gave orders to waylay and assassinate the Roman deputy on his return to Rome ²⁷.

In revenge of this barbarous outrage, and of the former injuries received from that quarter, the Romans made war on the queen of Illyricum, obliged her to make reparation for the injuries she had done to the traders of Italy, to evacuate all the towns she had occupied on the coast, to restrain her subjects in the use of armed ships, and to forbid them to navigate the Ionian Sea with more than two vessels in company.

The Romans, being desirous of having their conduct in this matter approved of by the nations of that continent, sent a copy of this treaty, together with an exposition of the motives which had induced them to cross the Adriatic, to be read in the assembly of the Achæan league. They soon after made a like communication at Athens and at Corinth, where, in consideration of the signal service they had performed against the Illyrians, then reputed the common enemy of civi-

²⁷ Polyb. lib. ii. c. 8.

lized nations, they had an honorary place assigned them at the Isthmian games; and in this manner made their first appearance in the councils of Greece ²⁸. C H A P. IV. U. C. 525.

²⁸ Polyb. lib. ii. c. 12. Appian in Illyr.

C H A P. V.

Progress of the Romans within the Alps. — Origin of the second Punic War. — March of Hannibal into Italy. — Progress. — Action on the Tecinus. — On the Trebia. — On the Lake Trasimenus. — Battle of Cannæ. — Hannibal not supported from Carthage. — Sequel of the War. — In Italy. — And Africa. — Scipio's Operations. — Battle of Zama. — End of the War.

BOOK
I.

THE city of Rome, and most of the districts of Italy, during the dependence of the last enumerated wars which were waged at a distance and beyond the seas, began to experience that uninterrupted tranquillity in which the capital and interior divisions of every considerable nation remain, even during the wars in which the state is engaged. They had indeed one source of alarm on the side of Cisalpine Gaul, which they thought it necessary to remove, in order to obtain that entire security to which they aspired. The country of the Senones, from Sena Gallia to the Rubicon, they had already subdued, even before the arrival of Pyrrhus in Italy; but the richest and most fertile tracts on the Po were still in the possession of the Gaulish nations; and it had been proposed, about four years after the conclusion of the first Punic war, to erect a barrier against the invasions of this peo-

ple, by occupying with Roman colonies the country of the Senones, from Sena Gallia to the Rubicon. Although the inhabitants to be removed to make room for these settlements had been subject to the Romans above forty years, yet their brethren on the Po considered this act of violence as an insult to the Gaulish name, resolved to avenge it, and invited their countrymen from beyond the Alps to take part in the quarrel.

In consequence of their negotiations and concerts, in about eight years after the Romans were settled on the Rubicon, a great army of Gauls appeared on the Roman frontier. These nations used to make war by impetuous assaults and invasions, and either at once subdued and occupied the countries which they over-ran, or, being repulsed, abandoned them without any farther intention to persist in the war. Their tumultuary operations, however, were subjects of the greatest alarm at Rome, and generally produced a suspension of all the ordinary forms of the commonwealth. On a prospect of the present alarm from that quarter, the Senate, apprehending the necessity of great and sudden exertions of all their strength, ordered a general account to be taken of all the men fit to carry arms, whether on foot or on horseback, that could be assembled for the defence of Italy; and they mustered, on this famous occasion, above seven hundred thousand foot and seventy thousand horse¹. From this numerous return of men in

¹ Polyb. lib. ii. c. 22—24, &c. Liv. Epitom. lib. xxi.

B O O K

I.

arms, the State was enabled to make great detachments, which they stationed under the Consuls and one of the Prætors separately, for the defence of the commonwealth. The Gauls, having penetrated into Etruria, where the Prætor was stationed, attacked and obliged him to retire. The Consuls, however, being arrived with their several armies in different directions to support the Prætor, renewed the conflict with united force, and put the greater part of the Gaulish invaders to the sword.

U. C. 529.

In the year following, the Romans carried the war into the enemy's country; and, in about three years more, passed the Po, and made themselves masters of all the plains on that river quite to the foot of the Alps. To secure this valuable acquisition they projected two colonies of six thousand men each, one at Cremona and the other at Placentia, on the opposite sides of the Po; but were disturbed in the execution of this project, first, by a revolt of the natives, who justly considered these settlements as military stations, intended to repress and keep themselves in subjection, and afterwards, by the arrival of a successful invader, who, by his conduct and implacable animosity, appeared to be the most formidable enemy that had ever attempted to shake the power, or to limit the progress, of the Roman State.

The republic had now enjoyed, during a period of twenty-one years from the end of the first Punic war, the fruits not only of that ascendant she had acquired among the nations of Italy, but those likewise

likewise of the high reputation she had gained, and of the great military power she had formed in the contest with Carthage. The wars that filled up the interval of peace with this principal antagonist, were either trivial or of short duration: and the city itself, though still rude in the form of its buildings and in the manners of its people, probably now began to pay a growing attention to the arts of peace. Laws are dated in this period which have a reference to manufacture and to trade. Clothiers are directed in the fabric of cloth², and carriers by water are directed in the size of their vessels. Livius Andronicus and Nævius introduced some species of dramatic entertainment, and found a favorable reception from the people to their farcical productions³.

U. C. 512.

But whatever progress the people were now inclined to make in the useful or pleasurable arts of peace, they were effectually interrupted, and obliged to bend the force of their genius, as in former times, to the arts of war, and to the defence of their settlements in Italy.

The Carthaginians had been for some time employed in Spain, making trial of their strength, and forming their armies. In that Country, Hamilcar, an officer of distinguished fame in the late war with the Romans, and in that which ensued with the rebel mercenaries, had sought refuge from that disgust and those mortifications which, in the late

² Lex Metilia de Fullonibus. Lex Claudia.

³ Cicer. in Bruto, p. 35. A. Gell. lib. xvii. c. 21.

B O O K treaty of peace, he felt from the abject councils of
I. his country. And having found a pretence to levy new armies, he made some acquisitions of territory, to compensate the losses which Carthage had sustained by the surrender of Sardinia and of Sicily.

Spain appears to have been to the trading nations of Greece, Asia, and Africa, what America has been, though upon a larger scale, to the modern nations of Europe, an open field for new settlements, plantations, and conquests. The natives were brave, but impolitic, and ignorant of the arts of peace, occupied entirely with the care of their horses and their arms. These, says a historian, they valued more than their blood^{*}. They painted or stained their bodies, affected long hair with gaudy ornaments of silver and gold. The men were averse to labor, and subsisted chiefly by the industry of their women. Their mountains abounded in mines of copper and of the precious metals; insomuch that, on some parts of the coast, it was reported that the natives had vessels and utensils of silver employed in the most common uses[†]. A fatal report! such as that which afterwards carried the posterity of this very people, with so much destructive avidity, to visit the new world; and is ever likely to tempt the dangerous visits of strangers, who are ready to gratify their avarice and their ambition, at the expense of nati-

^{*} Justin, lib. xlv. c. 2.

[†] Strabo, lib. iii.

ons to whose possessions they have no reasonable or just pretension. The Spaniards were at this time divided into many barbarous hordes or small principalities, which could neither form any effectual concert to prevent the intrusion and settlement of foreigners, nor possessed the necessary docility by which to profit by foreign examples, whether in the form of their policy or the invention of arts.

The Carthaginians had made their first visits to Spain under pretence of supporting the colony of Gades, which, like themselves, was sprung from Tyre. They made a settlement under the name of new Carthage; in a situation extremely favorable to the communication of Spain with Africa, and in the neighbourhood of the richest mines. Hamilcar, after a few successful campaigns, in extending the bounds of this settlement, being killed in battle, was succeeded by his son-in-law, Hasdrubal, who continued for some years to pursue the same designs.

The Romans, in the mean while, were occupied on the coast of Illyricum, or amused with alarms from Gaul. They were sensible of the progress made by their rivals in Spain; but imagining that any danger from that quarter was extremely remote, or while they had wars at once on both sides of the Hadriatic, being unwilling to engage at the same time with so many enemies, were content with a negociation and a treaty, in which they stipulated with the Carthaginians that they should not pass the Iberus to the eastward, nor molest the

B O O K

I.

city of Saguntum. This they considered as a proper barrier on that side, and professed for the inhabitants of that place the concern of allies. Trusting to the effect of this treaty, as sufficient to limit the progress of the Carthaginians in Spain, they proceeded, in the manner that has been mentioned, to contend with the Gauls for the dominion of Italy, which hitherto, under the frequent alarms they received from this people, was still insecure⁶.

Hasdrubal, after nine years service, being assassinated by a Spanish slave, who committed this desperate action in revenge of an injury which had been done to his master, was succeeded in the command of the Carthaginian troops in Spain by Hannibal, the son of Hamilcar. This young man, then of five-and-twenty years of age, had, when a child⁷, come into Spain with his father, seemed to inherit his genius, and preserved, probably with increasing animosity, his aversion to the Romans. Being reared and educated in camps, and from his earliest youth qualified to gain the confidence of soldiers, he, on the death of Hasdrubal, by the choice of the troops, was raised to the command of that army, and afterwards confirmed in it by the Senate of Carthage.

The Carthaginians had now for some time ceased to feel the defeats and the sufferings which had induced them to accept of the late disadvantageous

⁶ Polyb. lib. ii. c. 13.

⁷ At nine years of age.

conditions of peace, and were sensible only of the lasting inconveniencies to which that treaty exposed them. They had long felt, from the neighbourhood of the Romans, an insurmountable bar to their progress. They had felt, during above seventeen years from the date of their last treaty of peace, the loss of their maritime settlements, and the decline of their navigation. They had felt the load of a heavy contribution, which, though restricted to a particular sum, had the form of a tribute, in being exacted by annual payments; and they entertained sentiments of animosity and aversion to the Romans, which nothing but the memory of recent sufferings and the apprehension of danger could have so long suppressed.

Hamilcar, together with a considerable party of the Senate, were supposed to have borne with the late humiliating peace, only that they might have leisure to provide for a subsequent war. "I have four sons," this famous warrior had been heard to say, "whom I shall rear like so many lions whelps against the Romans." In this spirit he set armies on foot to be trained and accustomed to service in Spain, and had already projected the invasion of Italy from thence.

Whatever may have been the military services which the Carthaginians devised, the execution of them was secured by the coming of Hannibal to the head of their army. He was well formed for great enterprise, and professed an hereditary aversion to the Romans. In the first and second year of his command he continued the operations which

B O O K had been begun by his predecessors in Spain; but
I. during this time, although he made conquests beyond the Iberus, he did not molest the city of Saguntum, nor give any umbrage to the Romans. But, in the third year after his appointment, his progress alarmed the Saguntines, and induced them to send a deputation to Rome to impart their fears.

At the arrival of this deputation from Saguntum, the Romans had fitted out an armament under the command of the Consul L. Emilius Paulus, destined to make war on Demetrius, the prince of Pharos, a small island on the coast of Illyricum. This armament, if directed to Spain, might have secured the city of Saguntum against the designs of Hannibal; but the Romans still considered any danger from that quarter as remote, and continued to employ this force in its first destination. They paid so much regard, nevertheless, to the representations of the Saguntines, as to send deputies into Spain, with orders to observe the posture of affairs, and to inform the Carthaginian officer on that station, of the engagements which had been entered into by his predecessor, and of the concern which the Romans must undoubtedly take in the safety of Saguntum. The return which they had to this message, gave sufficient intimation of an approaching war; and it appears that, before the Roman commissioners could have made their report, the siege of Saguntum was actually commenced by Hannibal. He had already formed his design for the invasion of Italy, and, that he might

not leave to the Romans a place of arms and a powerful ally in the country from which he was about to depart, determined to occupy or destroy that place. He was impatient to reduce Saguntum before any succours could arrive from Italy, or before any force could be collected against him, so as to fix the theatre of the war in Spain. He pressed the siege, therefore, with great impetuosity, exposing his person in every assault; and exciting, by his own example, with the pickaxe and spade, the parties at work in making his approaches^a. Though abundantly cautious not to expose himself on slight occasions, or from a mere ostentation of courage, yet in this siege, which was the foundation of his hopes, and the necessary prelude to the farther progress of his enterprize, he declined no fatigue, and shunned no danger, that led to the attainment of his end. He was, nevertheless, by the valor of the besieged, which they exerted in hopes of relief from Rome, detained about eight months before this place, and deprived at last of great part of its spoils by the desperate resolution of the citizens, who chose to perish, with all their effects, rather than fall into the enemy's hands. The booty, however, which he saved from this wreck enabled him, by his liberalities, to gain the affection of his army, and to provide for the execution of his design against Italy. U. C. 534.

The siege of Saguntum, being an infraction of the late treaty with the Romans, was undoubtedly

^a Polyb. lib. iii. c. 17.

BOOK I. an act of hostility; and this people incurred a censure of remissness, uncommon in their councils, by suffering an ally, and a place of such importance, to remain so long in danger, and by suffering it at last to fall a prey to their enemy, without making any attempt to relieve it. It is probable, that the security they began to derive from a frontier, far removed from the seat of their councils, and covered on every side by the sea, or by impervious mountains, rendered them more negligent, than they had formerly been of much slighter alarms. They expected to govern by the dread of their power, and proposed to punish, by exemplary vengeance, the insults which they had not taken care to prevent.

The attention of the Romans, during the dependence of this event, had been fixed on the settlements they were making at Cremona and Placentia, to keep in subjection the Gauls, and on the naval expedition which they had sent under the Consul Æmilius to the coast of Illyricum. This officer, about the time that Hannibal had accomplished his design on Saguntum, and was retired for the winter to his usual quarter at New Carthage, had succeeded in his attack on Demetrius, prince of Pharos, had driven him from his territories, and obliged him to seek for refuge at the court of Macedonia, where his intrigues proved to be of some consequence in the sequel of these transactions.

The people at Rome being amused with these events, and with a triumphal procession, which, as

usual, announced their victory, proceeded in the affairs of Spain according to the usual forms, and, agreeably to the laws which they had, from time immemorial, prescribed to themselves in the case of injuries received, sent to demand satisfaction; complained at Carthage of the infraction of treaties; and required that Hannibal with his army should be delivered up to their messengers; or, if this were refused, gave orders to denounce immediate war. The Roman commissioner, who spoke to this effect in the senate of Carthage, having made his demands, held up the lappet of his gown, and said, "Here are both peace and war, chuse ye." — He was answered, "We chuse that which you like best." — "Then it is war," he said, and from this time both parties prepared for the contest.

U. C. 535.

Hannibal had been long devising the invasion of Italy, probably without communicating his design even to the councils of his own country. The war being now declared, he made his dispositions for the safety of Africa and Spain; gave intimation to the army under his command, that the Romans had required them to be delivered up, as a beast which commits a trespass is demanded in reparation for the damage he has done*. If they felt a proper resentment of this indignity, he warned them to prepare for an arduous march. He was in the eight-and-twentieth year of his age when he

* Velut ob noxam sibi dedi postulare populus Romanus. Liv. lib. xxi. c. 30.

B O O K entered upon the execution of this design; an undertaking which, together with the conduct of it, has raised his reputation for enterprize and ability to an equal, if not to a higher pitch, than that of any leader of armies whatever.

I.

The Romans, a few years before, had mustered near eight hundred thousand men, to whom the use of arms was familiar, to whom valor was the most admired of the virtues, and who were ready to assemble in any numbers proportioned to the service for which they might be required: the march from Spain into Italy lay across tremendous mountains, and through the territory of fierce and barbarous nations, who might not be inclined tamely to suffer a stranger to pass through their country, or lose any opportunity to enrich themselves with his spoils.

From such topics as these, historians have magnified the courage of this celebrated warrior at the expense of his judgment. It is probable, however, that both were equally exerted in this memorable service. In the contest of nations, that country, which is made the seat of the war, for the most part labors under great comparative disadvantage, is obliged to subsist the army of its enemy as well as its own, is exposed to devastation, to hurry, confusion, and irresolution of councils; so much that, in nations powerful abroad, invasions often betray great incapacity and weakness, or at least fix the whole sufferings of the war upon those who are invaded. Hannibal, besides this general consideration, had with great care informed himself of

the real state of Italy, and knew, that though the Roman musters were formidable, yet much of their supposed strength consisted of discordant parts; a number of separate cantons recently united, and many of them disaffected to the power by which they were cemented together. Most of the inhabitants of that country, being the descendants of different nations, and distinguished by various languages, still retained much animosity to each other, and most of all to their new masters. Those who had longest borne the appellation of Roman allies, even the colonies themselves, as well as the conquered nations, had occasionally revolted, and were likely to prefer separate establishments to their present dependence on the Roman State. The Gauls and Ligurians, even the Etruscans, had been recently at war with those supposed masters of Italy, and were ready to resume the sword in concert with any successful invader. The Gauls on the Po were already in arms, had rased the fortifications which the Romans had begun to erect at Cremona and Placentia, and forced the settlers to take refuge at Mutina. Every step, therefore, that an invader should make within this country, was likely to remove a support from the Romans, and to add a new one to himself. The Roman power, composed of parts so ill cemented, was likely to dissolve on the slightest touch. Though great when employed at a distance, and wielded by a single hand, yet broken and disjointed by the presence of an enemy, it was likely to lose its strength; or, by the revolt of one or more of its districts, might

B O O K furnish a force that could be successfully employed
 I. against itself. A few striking examples of success, therefore, for which he trusted to his own conduct and to the superiority of veterans hardened in the service of many years, were likely to let loose the discontents which subsisted in Italy, and to shake the fidelity of those allies who composed so great a part of the Roman strength. Even with a less favorable prospect of success, the risk was but small, compared to the chance of gain. A single army was to be staked against a mighty State; and a few men, that could be easily replaced were to be sacrificed in an enterprize, which, if successful, was to make Carthage the mistress of the world; or even if it should miscarry, might inflict her enemy with a deeper wound than she herself was likely to suffer from the loss.

Hannibal collected together for this expedition ninety thousand foot and twelve thousand horse. In his march to the Iberus, he met with no interruption. From thence to the Pyrenees, being opposed by the natives, he forced his way through their country; but apprehending some inconvenience from such an enemy left in his rear, he stationed his brother Hanno, with ten thousand foot and one thousand horse, to observe their motions, and to keep them in awe. After he had begun to ascend the Pyrenees, a considerable body of his Spanish allies deserted him in the night, and fell back to their own country. This example, he had reason to believe, would prove contagious; and as the likeliest way to prevent its effects, he gave out, that

the party which had left him, being no longer wanted for the purposes they served on the march, were returned by his orders to their own country. That he meant to spare a few more of the troops of the same nation, as being unnecessary in the remaining parts of the service; and actually dismissed a considerable body to confirm this opinion. By these separations, or by the swords of the enemy, his numbers, in descending the mountains, were reduced from ninety to fifty thousand foot and nine thousand horse, with seven-and-thirty elephants¹⁰.

This celebrated march took place in the year of U. C. 534. Rome five hundred and thirty-four, and in the consulate of Publius Cornelius Scipio and Tiberius Sempronius Longus. The Romans, as usual on such occasions, raised two consular armies, and proposed, by immediate armaments directed to Spain and to Africa, to fix the scene of the war in the enemy's country.

Sempronius assembled an army and a fleet in the ports of Sicily, and had orders to pass into Africa. Scipio embarked with some legions for Spain, and, touching on the coast of Gaul: first learned, that a Carthaginian army was marching by land into Italy. This intelligence determined him to land his troops at Marseilles, and to send out a detachment of horse to observe the country, and to procure farther and more particular information of the enemy.

¹⁰ Polyb. lib. iii. c. 35—42.

BOOK

I.

Hannibal had arrived on the Rhône at some distance above its separation into two channels, and about four days march from the sea. In order to effect the passage of the river, he instantly collected all the boats that could be found on its extensive navigation. At the same time, the natives, being unacquainted with strangers in any other capacity than that of enemies, assembled in great numbers to dispute his farther progress in their country.

Finding so powerful a resistance in front, he delayed the embarkation of his army on the Rhône, and sent a detachment up the banks of the river to pass it at a different place, and to make a diversion on the flank or the rear of the enemy who opposed him.

The division employed on this service, after a march of twenty-five miles, found the Rhône separated into branches by small islands, and at a convenient place got over on rafts to the opposite shore; and being thus in the rear, or on the right of the Gaulish army, hastened towards them, in order to give an alarm on that quarter, while Hannibal should pass the river in their front.

On the fifth day after the departure of this party, Hannibal, having intelligence that they had succeeded in passing the Rhône, made his disposition to profit by the diversion they were ordered to make in his favor. The larger vessels, which were destined to transport the cavalry, were ranged towards the stream, to break the force of the current; and many of the horses were fastened

to the stern of the boats. The smaller canoes were ranged below, and were to carry over a body of foot. C H A P. V.

The Gauls, seeing these preparations, left their camp, and advanced to meet the enemy. They were drawn up on the banks of the river, when the Carthaginian detachment arrived on their rear, and lighted fires as a signal of their approach. Hannibal observing the smoke, notwithstanding the posture which the enemy had taken to resist his landing, instantly put off from the shore: both armies shouted; but the Gauls being thrown into great consternation by the report and effects of an attack which they little expected on their rear, without resistance gave way to the Carthaginians in front, and were speedily routed. Hannibal, having thus lodged himself on the eastern banks of the Rhône, in a few days, without any farther interruption or loss, passed that river with his elephants, baggage, and the remainder of his army.

Soon after the Carthaginian general had surmounted this difficulty, intelligence came that a Roman army had arrived on the coast, and was disembarked at Marseilles. To gain further and more certain information of this enemy, he, nearly about the same time that Scipio had sent a detachment on the same design, directed a party of horse to examine the country. These parties met; and, after a smart engagement, returned to their several armies with certain accounts of an enemy being near.

BOOK

I.

Scipio advanced with the utmost dispatch to fix the scene of the war in Gaul; and Hannibal hastened his departure, being equally intent on removing it, if possible, into Italy. The last, in order to keep clear of the enemy, directed his march at a distance from the sea coast, and took his route by the banks of the Rhône. After four days march from the place where he had passed this river, he came to its confluence with another river, which was probably the Isere, though by Polybius himself, who visited the tract of this march, the place seems to be mistaken for the confluence of the Rhône and Saone ¹¹. Here he found two brothers contending for the throne of their father, and gained an useful ally by espousing the cause of the elder. Being, in return for this service, supplied with arms, shoes, and other necessaries, and attended by the prince himself, who with a numerous body covered his rear, he continued his march during ten days, probably on the Isere, and about a hundred miles above the place where he had passed the Rhône, began to make his way over the summit of

¹¹ In the manuscripts of Polybius, the river which falls into the Rhône at this place was called by a name unknown in that country. The first editors, to correct the mistake, changed this unknown name for that of the Arar. But it is extremely probable, that they ought to have made it the Isara, as the confluence of the Isere and the Rhône corresponds much better with the distances and marches mentioned by Polybius. Four marches, for instance, from the place at which Hannibal had passed the Rhône, and four more from thence to the sea.

the

the Alps ; a labor in which he was employed with his army during fifteen days ¹². C H A P.
V.

¹² This famous route has been a subject of different opinions, and of some controversy. In a country that is raised into vast mountains, round which the way must be found by narrow valleys, and the channels of rivers, it is impossible to decide any question of this sort from the map. Polybius visited the ground, in order to satisfy himself on the tract of this famous route ; and, from this circumstance, as well as from his general knowledge of war, is undoubtedly the best authority to whom we can have recourse in this question. By his account, Hannibal, after four marches from the place at which he had passed the Rhône, came to the confluence of this with another river, which is evidently the Isère. From thence, having continued his route ten days on the river, and marched about a hundred miles, he began to ascend the summit, and was employed in that difficult work fifteen days. This account may incline us to believe, that Hannibal followed the course of the Isère from its confluence with the Rhône to about Conflans ; that, having surmounted the summit, he descended into Italy by the channel of another river, or the vale of Aoste. Such are the passages by which ridges of mountains, in every instance, are to be traversed. It is indeed asserted, or implied in the text of Polybius, that Hannibal marched ten days on the Rhône after its confluence with the Arar or Isara ; but it is probable, that, in visiting a barbarous country, in which the Romans had yet no possessions, and with the language of which he was unacquainted, he may have mistaken the Isère for the Rhône, and consequently the Rhône for the Arar or Saone. The Rhône and Isère take their rise from the same ridge, and run nearly in the same directions. In this account of the course of the supposed Rhône which he visited, he mentions nothing of the Lake of Geneva, which is scarcely possible, if he had seen it. Polyb. lib. iii. c. 47.

According to this conjecture, Hannibal, having marched by the vale of Isère, Grenoble, Chambery, and Mountmelian

BOOK

I.

The natives, either fearing him as an enemy, or proposing to plunder his baggage, had occupied every post at which they could obstruct his march; assailed him from the heights, endeavoured to overwhelm his army in the gorges of the mountains, or force them over precipices, which frequently sunk perpendicular under the narrow paths by which they were to pass.

Near to the summits of the ridge, at which he arrived by a continual ascent of many days, he had his way to form on the sides of frozen mountains, and through masses of perennial ice, which, at the approach of winter, were now covered with recent snow. Many of his men and horses, coming from a warm climate, perished by the cold; and his army having struggled, during so long a time, with extremes to which it was little accustomed, was reduced, from fifty thousand foot and nine thousand horse, the numbers which remained to him in descending the Pyrenees, to twenty thousand foot and six thousand cavalry, a force, in all appearance, ex-

and descended by the vale of Aoste, must have passed the summit at or near the lesser abbey of St. Bernard.

As mountains are penetrated by the channels of rivers, it is probable that Hannibal, if he were himself to explore his passage, would try the course of the first considerable river he found on his right descending from the Alps, which was the Isère: but if, as is extremely probable, he had well-instructed guides, it is not likely that they would lead him so long a circuit as he must have made by the course and sources of the Rhône, when, in fact, he had one equally practicable, and much nearer, by the Isère on one side of the Alps, and the Dorea Baltea on the other.

tremely disproportioned to the service for which they were destined¹³. C H A P.
V.

The Roman Consul, in the mean time, had, in search of his enemy, directed his march to the Rhône; and, in three days after the departure of Hannibal, had arrived at the place where he had passed that river; but was satisfied that any further attempts to pursue him in this direction, would only carry himself away from what was to be the scene of the war, and from the ground he must occupy for the defence of Italy; he returned therefore without loss of time to his ships; sent his brother, Cneius Scipio, with the greater part of the army, to pursue the object of the war in Spain; and he himself, with the remainder, set sail for Pisa, where he landed and put himself at the head of the legions which he found in that quarter; and which had been appointed to restore the settlements of Cremona and Placentia. With these forces he passed the Po, and was arrived on the Tecinus, when Hannibal came down into the plain country at some distance below Turin.

The Carthaginian general, at his arrival in those parts, had moved to his right; and, to gratify his new allies the Insubres, inhabiting what is now the dutchy of Milan, who were then at war with the Taurini or Piedmontese, he laid siege to the capital of that country, and in three days reduced it by force. From thence he continued his march on the left of the Po; and, as the armies advanced, both

¹³ Polyb. lib. iii. c. 55. Liv. lib. xxi.

BOOK

I.

generals, as if by concert, approached with their cavalry, or light troops, mutually to observe each other. They met on the Tecinus with some degree of surprise on both sides, and were necessarily engaged in a conflict, which served as a trial of their respective forces, and in which the Italian cavalry were defeated by the Spanish and African horse. The Roman Consul was wounded, and with much difficulty rescued from the enemy by his son Publius Cornelius, afterwards so conspicuous in the history of this war, but then only a youth of seventeen years of age, entering on his military service¹⁴.

The Roman detachment, it seems, had an easy retreat from the place of this encounter to that of their main army, and were not pursued. Scipio, disabled by his wound, and probably, from the check he had received, sensible of the enemy's superiority in the quality of their horse, determined to retire from the plains; repassed the Po, marched up the Trebia, and, to stop the progress of the Carthaginians, while he waited for instructions or reinforcements from Rome, took post on the banks of that river. While he lay in this position, an alarming effect of his defeat, and of the disaffection of some Gauls who professed to be his allies, appeared in the desertion of two thousand horsemen of that nation, who went over to the enemy.

The Roman Senate received these accounts with surprise, and with some degree of consternation.

¹⁴ Polyb. lib. x. c. 3.

An enemy was arrived in Italy, and had obliged the Consul, with his legions, to retire. The forces which they had lately mustered were numerous, but consisted in part of doubtful friends, or of declared enemies. They supposed all their late vanquished subjects on the Po to be already in rebellion, or to be mustered against them in the Carthaginian camp. And, notwithstanding the numerous levies that could have been made in the city, and in the contiguous colonies; notwithstanding the expediency of carrying the war into Africa, as the surest way of forcing the Carthaginians to withdraw their forces from Italy for the defence of their own country, they, with a degree of pusillanimity uncommon in their councils, ordered the other Consul, Sempronius Longus, to desist from his design upon Africa; they recalled him with his army from Sicily, and directed him, without delay, to join his colleague on the Trebia, and, if possible, to stop the progress of this daring and impetuous enemy.

The Consul Sempronius, therefore, after he had met and defeated a Carthaginian fleet on the coast of Sicily, and was preparing for a descent on Africa, suddenly changed his course, and, having turned the eastern promontories of Sicily and Italy, steered for Ariminum, where he landed; and, having performed this voyage and march in forty days, joined his colleague, where he lay opposed to Hannibal on the Trebia.

By the arrival of a second Roman Consul, the balance of forces was again restored, and the na-

BOOK

I.

tives still remained in suspense between the two parties at war. Instead of a deliverance from servitude, which many of them expected to obtain from the arrival of foreigners to balance the force of the Romans, they began to apprehend, as usual in such cases, a confirmation of their bonds, or a mere change of their masters. When the contest should be ended, they wished to have the favor of the victor, and not to share in the fortunes of the vanquished. They had, therefore, waited to see how the scales were likely to incline, and had not repaired to the standard of Hannibal, in the manner, it is probable, he expected; and this, with every other circumstance of the war, forced him to rapid and hazardous counsels. Being too far from his resources to continue a dilatory war, he hastened to secure the necessary possessions on the Po; and, by the reputation of victory, to determine the wavering inhabitants to declare on his side. For these reasons he ever pressed on the enemy, and sought for occasions to draw them into action. He had been, ever since the encounter on the Tecinus, cautiously avoided by Scipio; who, even after he was reinforced by the other consular army, endeavoured to engage his colleague likewise in the same dilatory measures; but Sempronius, imputing this caution to the impression which Scipio had taken from his late defeat, and being confident of his own strength, discovered to the Carthaginian general an inclination to meet him, and to decide the campaign by a general action. Sempronius was farther encouraged in

this intention by his success in some encounters of foraging parties, which happened soon after he had arrived on this ground; and Hannibal, seeing this disposition of his enemy, took measures to bring on the engagement in circumstances the most favorable to himself. C H A P.
V.

He had a plain in his front, through which the Trebia ran, and parted the two armies. He wished to bring the Romans to his own side of the river, and to fight on the ground where his army was accustomed to form. Here, besides the other advantages which he proposed to take, he had an opportunity to place an ambuscade, from which he could attack the enemy on the flank or the rear, while they should be engaged in front. It was the middle of winter, and there were frequent showers of snow. The enemy's infantry, if they should ford the river, and afterwards remain any time inactive, were likely to suffer considerably from the effects of wet and cold. Hannibal, to lay them under this disadvantage, sent his cavalry across the fords, with orders to parade on the ground before the enemy's lines; and, if attacked, to repass the river with every appearance of flight. He had, in the mean time, concealed a thousand chosen men under the shrubby banks of a brook, which fell into the Trebia beyond the intended field of battle. He had ordered his army to be in readiness, and to prepare themselves with a hearty meal for the fatigues they were likely to undergo.

When the Carthaginian cavalry, passing the

BOOK
I.

river as they had been ordered, presented themselves to the Romans, it was but break of day, and before the usual hour of the first meal in the Roman camp. The legions were, nevertheless, hastily formed; and pursued the enemy to where they were seen in disorder to pass the river; and there, by the directions of their general, who supposed he had gained an advantage, and with the ardor which is usual in the pursuit of victory, they passed the fords, and made a display of their forces on the opposite bank. Hannibal, expecting this event, had already formed his troops on the plain, and made a show of only covering the retreat of his cavalry, while he knew that a general action could no longer be avoided. After it began in front, the Romans were attacked in the rear by the party which had been posted in ambush for this purpose; and this being added to the other disadvantages under which they engaged, they were defeated with great slaughter.

The legions of the centre, to the amount of ten thousand men, cut their way through the enemy's line, and escaped to Placentia. Of the remainder of the army, the greater part either fell in the field, perished in attempting to repass the river, or were taken by the enemy. In this action, although few of the Africans fell by the sword, they suffered considerably by the cold and asperity of the season, to which they were not accustomed; and of the elephants, of which Hannibal had brought a considerable number into this country, only one survived the distress of this day¹⁵.

¹⁵ Polyb. lib. iii. c. 74.

In consequence of this victory, Hannibal secured his quarters on the Po; and, by the treachery of a native of Brundisium, who commanded at Clastidium, got possession of that place, after the Romans had fortified and furnished it with considerable magazines for the supply of their own army. In his treatment of the prisoners taken at this place, he made a distinction between the citizens of Rome and their allies: the first he used with severity, the others he dismissed to their several countries, with assurances that he was come to make war on the Romans, and not on the injured inhabitants of Italy.

The Roman Consul, Sempronius, was among those who escaped to Placentia. He meant, in his dispatches to the Senate, to have disguised the amount of his loss; but the difficulty with which his messenger arrived through a country over-run by the enemy, with many other consequences of his defeat, soon published at Rome the extent of that calamity. The people, however, rose in their ardor and animosity, instead of being sunk. As awakened from a dream of pusillanimity, in which they had hitherto seemed to confine their views to the defence of Italy, they not only commanded fresh levies to replace the army they had lost on the Trebia, but they ordered the Consul Scipio to his first destination in Spain, and sent forces to Sardinia, Sicily, Tarentum, and every other station where they apprehended any defection of their allies, or any impression to be made by the enemy ¹⁶.

¹⁶ Polyb. lib. iii. c. 75.

BOOK

I.

The unfortunate Sempronius, being called to the city to hold the election of magistrates, escaped, or forced his way through the quarters of the enemy. He was succeeded by Caius Flaminius and Cn. Servilius; the first, being of obscure extraction, was chosen in opposition to the Nobles, to whom the people imputed the disasters of the present war. He was ordered early in the spring to take post at Arretium, that he might guard the passes of the Appenines and cover Etruria, while the other Consul was stationed at Ariminum to stop the progress of the enemy, if he attempted to pass by the eastern coast.

Hannibal, after his first winter in Italy, took the field for an early campaign; and being inclined to counsels the most likely to surprise his enemies, took his way to Etruria, by a passage in which the vales of the Appenines were marshy, and, from the effects of the season, still covered with water. In a struggle of many days with the hardships of this dangerous march, he lost many of his horses and much of his baggage; and himself, being seized with an inflammation in one of his eyes, lost the use of it. Having appeared, however, in a quarter where he was not expected, he availed himself of this degree of surprise with all his former activity and vigor.

The character of Flaminius, who was raised by the favor of the people in opposition to the Senate, and who was now disposed to gratify his constituents by some action of splendor and success, encouraged Hannibal to hope that he might derive

some advantage from the ignorance and presumption of his enemy. He therefore endeavoured to provoke the new Consul, by destroying the country in his presence, and to brave his resentment, by seeming, on many occasions, to expose himself to his attacks. He even ventured to penetrate into the country beyond him with an appearance of contempt. In one of these movements he marched by the banks of the Lake Thrasimenus, over which the mountains rose with a sudden and steep ascent. He trusted that the Roman Consul would follow him, and occupied a post from which with advantage to attack him, if he should venture to engage amidst the difficulties of this narrow way. On the day in which his design was ripe for execution, he was favored in concealing his position on the ascent of the mountains by a fog which covered the brows of the hills; and he succeeded in drawing the Roman Consul into a snare, in which he perished, with the greater part of his army.

The loss of the Romans in this action amounted to fifteen thousand men who fell by the sword, or who were forced into the lake and drowned. Of those who escaped by different ways, some continued their flight for fourscore miles, the distance of this field of battle from Rome, and arrived in the city with the news of this disastrous event. On the first reports great multitudes assembled at the place from which the People were accustomed to receive a communication of public dispatches from the officers of State; and the Prætor, who then commanded in the city, being to inform them of

BOOK

I.

what had passed, began his account of the action with these words: "We are vanquished in a great battle; the Consul, with great part of his army, is slain." He was about to proceed, but could not be heard for the consternation and the cries which arose among the people; infomuch, that persons who had been present in the action confessed, they heard these words with a deeper impression, than any they had received amidst the bloodshed and horrors of the field; and that it was then only they became sensible of the whole extent of their loss.

To increase the general affliction, farther accounts were brought, at the same time, that four thousand horse, which had been sent, upon hearing that Hannibal had passed the Appenines, by the Consul Servilius, to support his colleague, were intercepted by the enemy and taken. The Senate continued their meetings for many days without interruption, and the People, greatly affected with the weight of their mortifications and disappointments, committed themselves with proper docility to the conduct of this respectable body. In considering the cause of their repeated defeats, it is probable that they imputed them more to the difference of personal qualities in the leaders, than to any difference in the arms, discipline, or courage of the troops. In respect to the choice of weapons, Hannibal was so much convinced of the superiority of the Romans, that he availed himself of his booty on the Trebia and the Lake Thrasimenus,

to arm his African veterans in their manner ¹⁷. In respect to discipline and courage, although mere detachments of the Roman people were likely, in their first campaigns, to have been inferior to veterans, hardened in the service of many years under Hamilcar, Hasdrubal, and Hannibal himself; yet nothing is imputed by any historian to this point of disparity. They are not said to have been backward in any attack, to have failed their general in the execution of any plan, to have disobeyed his orders, to have been seized with any panic, or, in any instance, to have given way to the enemy, until, being caught in some snare by the superiority of the general, they fought with disadvantage, and perished in great numbers on the field.

The result of the Senate's deliberations was to name a Dictator. This measure, except to dispense with some form that hampered the ordinary magistrate, had not been adopted during an interval of five-and-thirty years. The choice fell upon Quintus Fabius Maximus, who seemed to possess the vigilance, caution, and vigor which were wanted in this arduous state of affairs. In proceeding to name him, the usual form which, perhaps, in matters of state, as well as in matters of religion, should be supposed indispensable, could not be observed. Of the consuls, of whom one or the other, according to ancient practice, ought to name the Dictator, one was dead; the other, being at a distance, was prevented by the enemy from any

¹⁷ Polyb. lib. iii. c. 115.

BOOK communication with the city. The Senate, therefore, to elude the supposed necessity of his presence, resolved that not a Dictator, but a Pro-dictator, should be named; and that the people should themselves chuse this officer, with all the powers that were usually intrusted to the Dictator himself. Fabius was accordingly elected Pro-dictator, and in this capacity named M. Minutius Rufus for his second in command, or general of the horse.

I.

While the Romans were thus preparing again to collect their forces, Hannibal continued to pursue his advantage. He might, with an enemy more easily subdued or daunted than the Romans, already have expected great fruit from his victories, at least he might have expected offers of concession and overtures of peace: but it is probable that he knew the character of this people enough, not to flatter himself so early in the war with these expectations, or to hope that he could make any impression by a nearer approach to the city, or by any attempt on its walls. He had already, by his presence, enabled the nations of the northern and western parts of Italy to shake off the dominion of Rome. He had the same measures to pursue with respect to the nations of the South. The capital, he probably supposed, might be deprived of the support of its allies, cut off from its resources, and even destroyed; but while the State existed, could never be brought to yield to an enemy.

Under these impressions the Carthaginian general, leaving Rome at a great distance on his right, repassed the Appenines to the coast of Picenum,

and from thence directed his march to Apulia. Here he proceeded, as he had done on the side of Etruria and Gaul, to lay waste the Roman settlements, and to detach the natives from their allegiance to Rome. But while he pursued this plan in one extremity of Italy, the Romans took measures to recover the possessions they had lost on the other, or at least to prevent the disaffected Gauls from making any considerable diversions in favor of their enemy.

For this purpose, while Fabius Maximus was assembling an army to oppose Hannibal in Apulia, the Prætor, Lucius Posthumius, was sent with a proper force to the Po. Fabius having united the troops that had served under the Consul Servilius, with four legions newly raised by himself, followed the enemy. On his march he issued a proclamation, requiring all the inhabitants of open towns and villages in that quarter of Italy to retire into places of safety, and the inhabitants of every district to which the enemy approached, to set fire to their habitations and granaries, and to destroy whatever they could not remove in their flight¹⁸. Though determined not to hazard a battle, he drew near to the Carthaginian army, and continued from the heights to observe and to circumscribe their motions. Time alone, he trusted, would decide the war in his favor, against an enemy who was far removed from any supply or recruit, and in a

¹⁸ Liv. lib. xxii. c. 11.

BOOK country that was daily wasting by the effect of
I. his own depredations.

Hannibal, after endeavouring in vain to bring the Roman Dictator to a battle, perceived his design to protract the war; and considering inaction as the principal evil he himself had to fear, frequently exposed his detachments, and even his whole army, in dangerous situations. The advantages he gave by these acts of temerity were sometimes effectually seized by his wary antagonist, but more frequently recovered by his own singular conduct and unfailing resources.

In this temporary stagnation of Hannibal's fortune, and in the frequent opportunities which the Romans had, though in trifling encounters, to measure their own strength with that of the enemy, their confidence began to revive. The Public resumed the tranquillity of its Councils, and looked round with deliberation to collect its force. The people and the army recovered from their late consternation, and took advantage of the breathing-time they had gained, to censure the very conduct to which they owed the returns of their confidence and the renewal of their hopes. They forgot their former defeats, and began to imagine that the enemy kept his footing in Italy, by the permission, by the timidity, or by the excessive caution of their leader.

A slight advantage over Hannibal, who had too much exposed his foraging parties, gained by the general of the horse in the absence of the Dictator, confirmed the army and the people in this opinion,

opinion, and greatly sunk the reputation of Fabius. As he could not be superseded before the usual term of his office was expired, the Senate and People, though precluded by law from proceeding to an actual deposition, came to a resolution equally violent and unprecedented, and which they hoped might induce him to resign his power. They raised the general of the horse to an equal command with the Dictator, and left them to adjust their pretensions between them. Such affronts, under the notions of honor, which in modern times are annexed to the military character, would have made it impossible for the Dictator to remain in his station. But in a commonwealth, where, to put any personal consideration in competition with the public, would have appeared absurd; seeming injuries done by the State to the honor of a citizen, only furnished him with a more splendid occasion to display his virtue. The Roman Dictator continued to serve under this diminution of his rank and command, and overlooked with magnanimity the insults with which the people had requited the service he was rendering to his country.

Minutius being now associated with the Dictator, in order to be free from the restraints of a joint command, and from the wary counsels of his colleague, desired, as the properest way of adjusting their pretensions, to divide the army between them. In this new situation he soon after, by his rashness, exposed himself and his division to be entirely cut off by the enemy. But being rescued by Fabius,

178 THE PROGRESS AND TERMINATION

BOOK

I.

he too gave proofs of a magnanimous spirit, confessed the favor he had received, and committing himself, with the whole army, to the conduct of his colleague, he left this cautious officer, during the remaining period of their joint command, to pursue the plan he had formed for the war¹⁹.

At this time, however, the People, and even the Senate, were not willing to wait for the effect of such seemingly languid and dilatory measures as Fabius was inclined to pursue. They resolved to augment the army in Italy to eight legions, which, with an equal number of the allies, amounted to eighty thousand foot and seven thousand two hundred horse; and they intended, in the approaching election of Consuls, to chuse men, not only of reputed ability, but of decisive and resolute counsels. As such they elected C. Terentius Varro, supposed to be of a bold and dauntless spirit; and, in order to temper his ardor, joined with him in the command L. Emilius Paulus, an officer of approved experience, who had formerly obtained a triumph for his victories in Illyricum, and who was high in the confidence of the Senate, as well as in that of the People.

In the autumn before the nomination of these officers to command the Roman army, Hannibal had surprised the fortrefs of Cannæ on the Aufidus, a place to which the Roman citizens of that quarter had retired with their effects, and at which they had collected considerable magazines and stores.

¹⁹ Plutarch, in vit. Fab. Max.

This, among other circumstances, determined the Senate to hazard a battle, and to furnish the new Consuls with instructions to this effect. C H A P.
V.

These officers, it appears, having opened the campaign on the banks of the Aufidus, advanced by mutual consent within six miles of the Carthaginian camp, which covered the village of Cannæ. Here they differed in their opinions, and, by a strange defect in the Roman policy, which, in times of less virtue, must have been altogether ruinous, and even in these times was ill fitted to produce a consistent and well-supported series of operations, had no rule by which to decide their precedence, and were obliged to take the command each a day in his turn.

Varro, contrary to the opinion of his colleague, proposed to give battle on the plain, and with this intention, as often as the command devolved upon him, still advanced on the enemy. In order that he might occupy the passage and both sides of the Aufidus, he encamped in two separate divisions on its opposite banks, having his larger division on the right of the river, opposed to Hannibal's camp. Still taking the opportunity of his turn to command the army, he passed with the larger division to a plain, supposed to be on the left of the Aufidus, and there, though the field was too narrow to receive the legions in their usual form, he pressed them together, and gave the enemy, if he chose it, an opportunity to engage. To accommodate his order to the extent of his ground, he contracted the head, and the intervals

BOOK

I.

of his manipules or columns, making their depth greatly to exceed the front which they turned to the enemy ²⁰.

He placed his cavalry on the flanks, the Roman knights on his right towards the river, and the horsemen of the allies on the left.

Hannibal no sooner saw this movement and disposition of the enemy, than he hastened to meet them on the plain which they had chosen for the field of action. He likewise passed the Aufidus, and, with his left to the river and his front to the south, formed his army upon an equal line with that of the enemy.

He placed the Gaulish and Spanish Cavalry on his left facing the Roman knights, and the Numidians on his right facing the allies.

The flanks of his infantry, on the right and the left, were composed of the African foot, armed in the Roman manner, with the pilum, the heavy buckler, and the stabbing sword. His centre, though opposed to the choice of the Roman legions, consisted of the Gaulish and the Spanish foot, variously armed and intermixed together.

Hitherto no advantage seemed to be taken on either side. As the armies fronted south and north, even the Sun, which rose soon after they were formed, shone upon the flanks, and was no disadvantage to either. The superiority of numbers was greatly on the side of the Romans; but Hannibal rested his hopes of victory on two circum-

²⁰ Ποιῶν το ῥαθος ἐν ταῖς Σπειραῖς Πολλαπλασίον τὲ μέτρον.
Vid. Polyb.

stances; first, on a motion to be made by his cavalry, if they prevailed on either of the enemy's wings; next on a position he was to take with his centre, in order to begin the action from thence, to bring the Roman legions into some disorder, and expose them, under that disadvantage, to the attack which he was prepared to make with his veterans on both their flanks.

The action accordingly began with a charge of the Gaulish and Spanish horse, who, being superior to the Roman knights, drove them from their ground, forced them into the river, and put the greater part of them to the sword. By this event the flank of the Roman army, which might have been joined to the Aufidus, was entirely uncovered.

Having performed this service, the victorious cavalry had orders to wheel at full gallop round the rear of their own army, and to join the Numidian horse on their right, who were still engaged with the Roman allies. By this unexpected junction, the left wing of the Roman army was likewise put to flight, and pursued by the African horse; at the same time the Spanish cavalry prepared to attack the Roman infantry, wherever they should be ordered on the flank, or the rear.

While these important events took place on the wings, Hannibal amused the Roman legions of the main body with a singular movement that was made by the Gauls and Spaniards, and with which he proposed to begin the action. These came forward, not in a straight line abreast, but swelling

BOOK

I.

out to a curve in the centre, without disjoining their flanks from the African infantry, who remained firm on their ground.

By this motion they formed a kind of crescent convex to the front. The Roman maniples of the right and the left, fearing, by this singular disposition to have no share in the action, hastened to bend their line into a corresponding curve, and, in proportion as they came to close with the enemy, charged them with a confident and impetuous courage. The Gauls and Spaniards resisted this charge no longer than was necessary to awaken the precipitant ardor with which victorious troops often blindly pursue a flying enemy. And the Roman line being bent, and fronting inwards to the centre of its concave, the legions pursued where the enemy led them. Hurrying from the flanks to share in the victory, they narrowed their space as they advanced, and the men who were accustomed to have a square of six feet clear for wielding their arms, being now pressed together, so as to prevent entirely the use of their swords, found themselves struggling against each other for space, in an inextricable and hopeless confusion.

Hannibal, who had waited for this event, ordered a general charge of his cavalry on the rear of the Roman legions, and at the same time an attack from his African infantry on both their flanks; by these dispositions and joint operations, without any considerable loss to himself, he effected an almost incredible slaughter of his enemies, With the loss of no more than four thousand.

U. C. 537.

and these chiefly of the Spanish and Gaulish infantry, he put fifty thousand of the Romans to the sword. C H A P.
V.

The Consul, Emilius Paulus, had been wounded in the shock of the cavalry; but when he saw the condition in which the infantry were engaged, he refused to be carried off, and was slain ²¹. The Consuls of the preceding year, with others of the same rank, were likewise killed. Of six thousand horse only seventy troopers escaped with Varro. Of the infantry three thousand fled from the carnage that took place on the field of battle, and ten thousand who had been posted to guard the camp were taken.

The unfortunate Consul, with such of the stragglers as joined him in his retreat, took post at Venusia; and with a noble confidence in his own integrity, and in the resources of his country, put himself in a posture to resist the enemy, till he could have instructions and reinforcements from Rome ²².

This calamity which had befallen the Romans in Apulia, was accompanied with the defeat of the Prætor Posthumius, who, with his army, on the other extremity of the country, was cut off by the Gauls. A general ferment arose throughout all Italy. Many cantons of Grecian extraction,

²¹ He has received from the poet the following honorable grave: Animæque magnæ prodigum Paulum superante Pœno. Hor. Car. lib. i. Ode 12.

²² Liv. lib. xxiii.

BOOK

I.

having been about sixty years subject to Rome, now declared for Carthage. Others, feeling themselves released from the dominion of the Romans, but intending to recover their liberties, not merely to change their masters, now waited for an opportunity to stipulate the conditions on which they were to join the victor. Of this number were the cities of Capua, Tarentum, Locri, Metapontus, Crotona, and other towns in the south-east of the peninsula. In other cantons, the people being divided and opposed to each other with great animosity, severally called to their assistance such of the parties at war as they judged were most likely to support them against their antagonists. Some of the Roman colonies, even within the districts that were open to the enemy's incursions, still adhered to the metropolis; but the possessions of the republic were greatly reduced, and scarcely equalled what the State had acquired before the expulsion of Pyrrhus from Italy, or even before the annexation of Campania, or the conquest of Samnium. The allegiance of her subjects and the faith of her allies in Sicily were greatly shaken. Hiero, the king of Syracuse, who had some time, under the notion of an alliance, cherished his dependance on Rome, being now greatly sunk in the decline of years, could no longer answer for the conduct of his own court, and died soon after this event, leaving his successors to change the party of the vanquished for that of the victor.

Hitherto the nations of Greece and of Asia had

taken no part in the contest of those powerful rivals. But the Romans having already interfered in the affairs of Greece, and made their ambition be felt beyond the Adriatic and the Ionian sea, the news of their supposed approaching fall was received there with attention: it awakened the hopes of many who had suffered from the effects of their power. Among these Demetrius, the exiled king of Pharos, being still at the court of Macedonia, and much in the confidence of Philip, who had recently mounted the throne of that kingdom, urging that it was impossible to remain an indifferent spectator in the contest of such powerful nations, persuaded the king to prefer the alliance of Carthage to that of Rome, and to join with Hannibal in the reduction of the Roman power; observing, that with the merit of declaring himself while the event was yet in any degree uncertain, the king of Macedonia would be justly entitled to a proper share of the advantages to be reaped in the conquest.

Philip accordingly endeavoured to accommodate the differences which he had to adjust with the Grecian States, and sent an officer into Italy to treat with Hannibal, and with the Carthaginian deputies who attended the camp. In the negotiation which followed it was agreed, that the king of Macedonia and the republic of Carthage should consider the Romans as common enemies; that they should pursue the war in Italy with their forces united, and make no peace but on terms mutually agreeable to both. In this treaty the interest

B O O K of the prince of Pharos was particularly attended to; and his restoration to the kingdom from which he had been expelled by the Romans, with the recovery of the hostages which had been exacted from him, were made principal articles ²³.

Hannibal, from the time of his arrival in Italy, after having made war for three years in that country, had received no supply from Africa, and seemed to be left to pursue the career of his fate with such resources as he could devise for himself; but this alliance with the king of Macedonia, promised amply to make up for the deficiency of his aids from Carthage; and Philip, by an easy passage into Italy, was likely to furnish him with every kind of support or encouragement that was necessary to accomplish the end of the war.

The Romans were apprized of this formidable accession to the power of their enemy, as well as of the general defection of their own allies, and of the revolt of their subjects. Though taxes were accumulated on the people, and frequent loans obtained from the commissaries and contractors employed in the public service, their expenses began to be ill supplied. There appeared not, however, in their councils, notwithstanding all these circumstances of distress, the smallest disposition to purchase safety by mean concessions of any sort. When the vanquished Consul returned to the city, in order to attend the nomination of a person who, in this extremity of their fortunes, might be

²³ Liv. lib. xxxiii. c. 33.

charged with the care of the commonwealth, the Senate, as conscious that he had acted at Cannæ by their own instructions, and had, upon the same motives that animated the whole Roman People, disdained, with a superior army, to stand in awe of his enemy, or to refuse him battle upon equal ground, went out in a kind of procession to meet him; and, upon a noble idea, that men are not answerable for the strokes of fortune, nor for the effects of superior address in an enemy, they overlooked his temerity and his misconduct in the action; they attended only to the undaunted aspect he preserved after his defeat, returned him thanks for not having despaired of the commonwealth²⁴; and from thenceforward continued their preparations for war, with all the dignity and pride of the most prosperous fortune. They refused to ransom the prisoners who had been taken by the enemy at Cannæ, and treated with fullen contempt, rather than severity, those who by an early flight had escaped from the field; being petitioned to employ them again in the war, "We have no service," they said, "for men who could leave their fellow-citizens engaged with an enemy." They seemed to rise in the midst of their distress, and to gain strength from misfortune. They prepared to attack or to resist at once, in all the different quarters to which the war was likely to extend, and took their measures for the support

²⁴ In the famous and admired expression, *Quia de republica non desperâset.*

BOOK
1.

of it in Spain, in Sardinia and Sicily, as well as in Italy. They continued their fleets at sea; not only observed and obstructed the communications of Carthage with the seats of the war, but having intercepted part of the correspondence of Philip with Hannibal, they sent a powerful squadron to the coast of Epirus; and, by an alliance with the States of Etolia, whom they persuaded to renew their late war with Philip, found that prince sufficient employment on the frontiers of his own kingdom, effectually prevented his sending any supply to Hannibal, and, in the sequel, reduced him to the humiliating necessity of making a separate peace.

In the ordinary notions which are entertained of battles and their consequences, the last victory of Hannibal at Cannæ, in the sequel of so many others that preceded it, ought to have decided the war; and succeeding ages have blamed this general for not marching directly to the capital, in order to bring the contest to a speedy termination by the reduction of Rome itself. But his own judgment is of much more weight than that of the persons who censure him. He knew the character of the Romans and his own strength. Though victorious, he was greatly weakened by his victories, and at a distance from the means of a reinforcement or supply. He was unprovided with engines of attack; and, so far from being in a condition to venture on the siege of Rome, that he could not undertake even that of Naples, which, after the battle of Cannæ, refused to open its gates; and,

indeed, soon after this date he received a check from Marcellus in attempting the siege of Nola²⁵. C H A P.
V.

The Romans, immediately after their disaster at Cannæ, prepared again to act on the offensive, formed a fresh army of five-and-twenty thousand men, which they sent, under the Dictator Junius Pera, to collect the remains of their late vanquished forces, and to annoy the enemy wherever they might find him exposed.

Hannibal kept in motion with his army to protect the cantons that were inclined to declare on his side; but, together with the extent and multiplication of his new possessions, which obliged him to divide his army in order to occupy and to secure them, he became sensible of his weakness; and, with the accounts sent to Carthage of his victories, he likewise sent representations of his losses, and demanded a supply of men, of stores, and of money. He was indeed in his new situation so much in want of these articles, that, having in the three first years of the war apparently raised the reputation of Carthage to the greatest height, and procured to his country more allies and more territory in Italy than were left in the power of the Romans, together with Capua, and other cities, more wealthy than Rome itself, and surrounded with lands better cultivated, and more full of resources, yet his affairs from thenceforward began to decline.

Armies are apt to suffer, no less from an opinion, that all the ends of their service are obtained, than

²⁵ Liv. lib. xxiii. c. 14, 15, 16.

BOOK

I.

they do from defeats, and from despair of success. The soldiers of Hannibal, now elated with victory, perhaps grown rich with the plunder of the countries they had over-run, and of the armies they had defeated; and presuming, that the war was at an end, or that they themselves ought to be relieved, or sent to enjoy the rewards of so glorious and so hard a service, became remiss in their discipline, or indulged themselves in all the excesses, of which the means were to be found in their present situation. Being mere soldiers of fortune, without a country, or any civil ties to unite them together, they were governed by the sole authority of their leader, and by their confidence in his singular abilities. Although there is no instance of their openly mutinying against him in a body, there are many instances of their separately and clandestinely deserting his service. The Spanish and Numidian horse, in particular, to whom he owed great part of his victories, upon some disappointment in their hopes, or upon a disgust taken at the mere stagnation of his fortune, went over in troops and squadrons to the enemy ²⁶. His hopes from the side of Macedonia were entirely disappointed, the power of that nation having full employment at home ²⁷. He found himself unable, without dividing his forces, to preserve his recent conquests, or to protect the Italians who had declared for him. Some of his possessions, therefore, he abandoned

²⁶ Liv. lib. xxiii. c. 46.

²⁷ Ibid. lib. xxvi. c. 28, 29. Lib. xxviii. c. 4.

or destroyed; and the natives of Italy, become the victims of his policy, or left to the mercy of the Romans whom they had offended, became averse to his cause, or felt that they could not rely on his power to protect them²⁸. Moved by these considerations, he made earnest applications at Carthage for reinforcements and supplies, to enable him to continue the war. But the councils of that republic, though abject in misfortune, were insolent or remiss in prosperity. Being broken into factions, the projects of one party, however wise, were frustrated by the opposition of the other. One faction received the applications of Hannibal with scorn. "Do victories," they said, "reduce armies to the want of reinforcements and of supplies, even against the very enemies they had vanquished? And do the acquisitions of Hannibal require more money and men to keep them than were required to make them? Other victorious generals are proud to display the fruits of their conquests, or bring home the spoils of their enemies to enrich their own country, instead of draining it to support a career of vain and unprofitable victories."

These invectives concluded with a motion, which, on the supposition that the advantages gained by Hannibal were real, was well-founded in wisdom and sound policy: that the occasion should be seized to treat with the Romans, when the State had reason to expect the most advan-

²⁸ Liv. lib. xxvii. c. 1 and 16.

BOOK I. tageous terms. But this counsel either was, or appeared to be, the language of faction; and no measures were adopted, either to obtain peace, or effectually to support the war.

The friends as well as the enemies of Hannibal, contributed to the neglect with which he was treated. In proportion as his friends admired him, and gloried in his fortune, they acted as if he alone were able to surmount every difficulty; and they accordingly were remiss in supporting him. The republic, under the effects of this wretched policy, with all the advantages of her navigation and of her trade, suffered her navy to decline, and permitted the Romans to obstruct, or molest, all the passages by which she could communicate with her armies in Spain and Italy, or her allies in Sicily and Greece²⁹. They voted indeed to Hannibal, on the present occasion, a reinforcement of four thousand Numidian horse, forty elephants, and a sum of money. But this resolution appears to have languished in the execution; and the armament, when ready to sail, was suffered to be diverted from its purpose, and ordered to Spain instead of Italy³⁰:

Notwithstanding these mortifications and disappointments, Hannibal still kept his footing in Italy for sixteen years; and so long gave sufficient occupation to the Romans, in recovering, by slow and cautious steps, what he had ravished from

²⁹ Liv. lib. xxviii. c. 4.

³⁰ Ibid. lib. xxiii. c. 13. and 12.

them

them in three years, and by a few daring examples of ability and valor. When the war had taken this turn, and the Romans, by the growing skill and ability of their leaders, as well as by the unconquerable spirit of their people, began to prevail, Hannibal, receiving no support directly from Africa, endeavoured to procure it from Spain by the junction of his brother Hasdrubal, to whom he recommended a second passage over the Alps, in imitation of that which he himself had accomplished. Every attempt of this sort, however, had been defeated, during six years, by the vigor and abilities of the two Scipios, Cnæius and Publius, and afterwards by the superior genius of the young Publius Scipio, who, succeeding the father and the uncle, as will be seen in the sequel, supported, with fresh lustre, the cause of his country.

The two Scipios, after some varieties of fortune, though, while they acted together, they were generally successful, having, in the seventh year of this war, separated their forces, were both, within the space of forty days, betrayed or deserted by their allies, and cut off by the superior force of the enemy.

The natives of Spain had, by their want of union and military skill, as has been mentioned, suffered many foreign establishments to be made in their country; they had permitted the Carthaginians, in particular, to possess themselves of a considerable territory; but afterwards, in order to remove them from thence, accepted of the

BOOK protection of the Romans; and, in the sequel,
I. occasionally applied to either of these parties for aid against the other, being, during the greater part of this war, the unstable friends, or irresolute enemies of both.

A service of so much danger, so little in public view, and at a distance from the principal scenes of the war, was not sought for as an opportunity to accumulate fame. The young Scipio, fired with the memory of his father and of his uncle, who had fallen in that service, and instead of being deterred by their fate, eager to revenge their fall, courted a command, which every other Roman is said to have declined. This young man, as has been observed, had begun his military services, in the first year of this war, on the Tecinus, where he had the good fortune to rescue his father. He was afterwards present at the battle of Cannæ, and was one of the few, who, from that disastrous field, forced their way to Canusium. Being chosen commander by those who escaped to this place, he prevented the effect of a desperate resolution they had taken to abandon Italy. Many of the severer forms of the commonwealth having been dispensed with in the present exigencies of the State, Scipio had been chosen Edile, though under the legal standing and age, being only turned of twenty-four, one year younger than Hannibal was when he took the command of the army in Spain, and four years younger than he was when he marched into Italy.

Such particulars relating to men of superior

genius and virtue, are in the highest degree interesting to mankind. It is even pleasing to know, that this young man was, according to Livy, tall and graceful in his person, with a beautiful countenance, and engaging aspect. C H A P.
V.

The Romans had been hitherto preserved in all the extremities of their fortune by the superiority of their national character, and by means of political establishments, which, although they do not inspire men with superior genius, yet raise ordinary citizens to a degree of elevation approaching to heroism; enabling the states they compose to subsist in great dangers, and to await the appearance of superior men. They had not yet opposed to Hannibal an officer of similar talents, or of a like superiority to the ordinary race of mankind. Scipio was the first who gave indubitable proofs of his title to this character³¹. Upon his arrival in Spain, with a fleet of thirty gallies, and ten thousand men, he found the remains of the vanquished Romans retired within the Iberus, where, under the command of T. Fonteius and Lucius Marcius, they had scarcely been able to withstand the further progress of the enemy³². There he accordingly landed, and fixed his principal quarters for the winter at Tarragona. By his information of the posture of the enemy, it appeared, that they had placed all their magazines and stores at New Carthage; and that, thinking this place

³¹ Liv. lib. xxvi. c. 18, 19, &c.

³² Ibid. lib. xxvi. c. 19. and 20.

BOOK sufficiently secured by a garrison of a thousand
I. men, they had separated their army into three divisions, and were gone into different directions to extend their possessions, or to cover the territories they had acquired. Of these divisions, none were nearer to their principal station than ten days march.

Upon these informations, Scipio formed a project to surprise the town of New Carthage, though at a distance from Tarragona of above three hundred miles. He rested his hopes of success on the security of his enemies, and on the prospect of being able to accomplish the greater part of his march before his design should be suspected, or before any measures could be taken to prevent him. For this purpose, he disclosed it to Lælius alone; and gave him orders to steer for that place with his fleet, while he himself made hasty marches by land. This city was situated, like Old Carthage, on a peninsula, or neck of land, surrounded by the sea. Scipio took post on the Isthmus, fortified himself towards the continent, from which he had reason to expect some attempt would be made to relieve the place, and secured himself on that side, before he attacked the town.

In his first attempt on the ramparts he was repulsed; but observing, that at low water, the walls were accessible at a weaker place than that at which he had made his assault; and having encouraged his men, by informing them, that the God of the sea had promised to favor them, which they thought to be verified by the seasonable ebb

which ensued, he there planted his ladders, and forced his way into the town. Here he made a great booty in captives, money, and ships[”]. C H A P.
V.

In this manner Scipio conducted his first exploit in Spain; and having carried on the war with equal ability and success for five years, he obliged the Carthaginians, after repeated defeats, to abandon that country. He himself, while Hasdrubal attempted to join his brother Hannibal in Lucania, and Mago to make a diversion in his favor in Liguria, returned to Rome. He was yet under thirty years of age, and not legally qualified to bear the office of Consul. But having an unquestionable title to the highest confidence of his country, the services which he had already performed procured a dispensation in his favor. He was accordingly raised to the Consulate; and when the provinces came to be assigned to the officers of state, he moved that Africa should be included in the number, and be allotted to himself: “There,” he said, the Carthaginians may receive the deepest wounds, and from thence be the soonest obliged for their own safety to recal their forces from Italy.”

This motion was unfavorably received by the greater part of the Senate; it seemed to be a matter of surprise, that, while Rome itself lay between two hostile armies, that of Hannibal in Brutium, and that of Mago in Liguria or Gaul, the Consul should propose to strip the republic of so great a force as would be necessary for the invasion of

[”] Polyb. lib. x. c. 9--15--17. Appian de Bell. Hispan.

BOOK

1.

Africa ³⁴. The fatal miscarriage of Regulus on that ground in a former war, the unhappy effects of precipitant counsels in the beginning of the present, were cited against him; and the desire of so arduous a station was even accounted presumptuous in so young a man.

Among the difficulties which Scipio met with in obtaining the consent of the Senate to the execution of his plan, is mentioned the disinclination of the great Fabius, who, from a prepossession in favor of that dilatory war, by which he himself had acquired so much glory; and by which, at a time when procrastination was necessary, he had retrieved the fortunes of his country, obstinately opposed the adopting of this hazardous project.

It had been, for the most part, an established maxim in the counsels of Rome, to carry war, when in their power, into the enemy's country. They had been prevented in the present case only by the unexpected appearance of Hannibal in Italy, and were likely to return to the execution of their first design as soon as their affairs at home should furnish them with a sufficient respite. We may, therefore, conceive what they felt of the difficulties of the present war, from this and other circumstances; that even after fortune had so greatly inclined in their favor, they did not yet think themselves in condition to retaliate on the enemy; or safe against the designs which Hannibal might form in Italy, if they should divide their

³⁴ Appian de Bell. Punic. p. 4.

forces, or detach so great a part of them as might be necessary to execute the project of a war in Africa. C H A P.
V.

They concluded, however, at last, with some hesitation, that Scipio, while the other Consul should remain opposed to Hannibal in Italy, might have for his province the island of Sicily, dispose of the forces that were still there, receive the voluntary supplies of men and of money, which he himself might be able to procure; and if he found, upon mature deliberation, a proper opportunity, that he might make a descent upon Africa. Agreeably to this resolution, he set out for the province assigned him, having a considerable fleet equipped by private contribution, and a body of seven thousand volunteers, who embarked in high expectation of the service in which he proposed to employ them³⁵.

While Scipio, by his exertions in Spain, was rising to this degree of eminence in the councils of his country, the war, both in Sicily and in Italy, had been attended with many signal events, and furnished many proofs of distinguished ability in the course of its operations, highly interesting to those who are qualified to receive instruction from such examples of conduct, and from the experience of great events. But in the summary account of the steps by which the Romans ascended to empire, we can only point out the tract by which they advanced; and, with a few general observations

³⁵ Appian de Bell. Punic.

BOOK
I.

on the means, hasten to contemplate the end which they attained.

The fortunes of Hannibal, as we have already remarked, had been some time on the decline. Capua and Tarentum, notwithstanding his utmost efforts to preserve them, had been taken by the Romans. While the first of these places was besieged, he endeavoured to force the enemies lines; and being repulsed, made a feint, by a hasty march towards Rome itself, to draw off the besiegers. By this movement he obtained a sight of that famous city; but again retired without having gained any advantage from his intended diversion. His allies, in Sicily, were entirely overwhelmed by the reduction of Syracuse; but that which chiefly affected his cause, by cutting off all hopes of future supplies or reinforcements, was the fall of his brother Hasdrubal. This officer had found means to elude the forces of Scipio in Spain; and attempted, by pursuing the tract of his brother into Italy, to join him in that country. In this design he actually surmounted all the difficulties of the Pyrenees and of the Alps, had passed the Po and the Rubicon, and advanced to the Metaurus before he met with any considerable check. There, at last, he encountered with the Roman Consuls, M. Claudius Nero and M. Livius Salinator, and was defeated with the loss of his whole army, amounting to fifty thousand men, of whom not one escaped being taken or slain³⁶.

³⁶ Liv. lib. xxvii. c. 49.

On this occasion, the Romans, who had so long left their possessions in the country a prey to the enemy, began to enjoy some degree of security, returned to their ruined habitations, and resumed the labors of the field. Hannibal, as overwhelmed with despair or affliction, confessed, that he could no longer be in doubt of the fate that awaited his country ³⁷. From this time he contracted his quarters, withdrew his posts from Apulia, gave intimation to all his allies in Italy, who had much to fear from the resentment of the Romans, that they should retire under the covert of his army in Brutium. Here he himself remained on the defensive; and, as if sensible that his career in Italy was nearly at an end, erected those curious monuments which are cited by Polybius, and on which were recorded the particulars of his march from Spain to Italy, and the numbers of his army at different periods of the war ³⁸.

In the following year, Mago, as we have observed, being unable to effect any considerable service in Spain, had orders to make sail for Italy, and once more endeavour to reinforce the army of Hannibal. But, having lost some time in a fruitless attempt on New Carthage, and a report in the mean time having spread of Scipio's intention to invade Africa, he received a second order to land at Genua; and, that he might distract or employ

³⁷ Agnoscere se fortunam Carthaginis. Liv. lib. xxvii. fine.

³⁸ Ibid. lib. xxviii. fine.

BOOK the forces of the Romans at home, endeavour to
I. rekindle the war in Liguria and Gaul.

Such was the state of affairs when Scipio proposed to invade Africa, passed into Sicily, and employed the whole year of his Consulship in making preparations. In this interval, however, having access by sea to the coasts which were occupied by Hannibal in Italy, he forced the town of Locri, and posted a garrison there, under the command of Pleminius, an officer, whose singular abuses of power became the subjects of complaint at Rome, and drew some censure on Scipio himself, by whom he was employed, and supposed to be countenanced.

Scipio was said, on this occasion, not only to have connived at the outrages committed by Pleminius, whom he had stationed at Locri, but to have been himself, while at Syracuse, abandoned to a life of effeminacy and pleasure, unworthy of a person intrusted with so important a command. It may appear strange, that this censure should arise from his having shown a disposition at Syracuse to become acquainted with the learning of the Greeks. His enemies gave out, that he affected the manners of that people; that he passed his time among books, and in public places of conversation and exercise. Upon these surmises, a commission was granted to the Prætor of Sicily, with ten Senators, two Tribunes of the People, and one of the Ediles, who had orders to join the Prætor in that island. To these instructions were given, that if they found Scipio accessory to the disorders committed at Lo-

cri, or reprehensible in his own conduct, they should send him in arrest to Rome: but that, if they found him innocent, he should continue in his command, and be suffered to carry the war wherever he thought most expedient for the good of the commonwealth.

The members of this formidable court of inquest, having landed at Locri, in their way to Sicily, ordered Pleminius, with thirty of his officers, in chains to Rome: and from Locri, proceeding to Syracuse, they reported from thence, that Scipio was no way accessory to the crimes committed by the troops in garrison at Locri: and that within the district of his own immediate command the allies were fully protected, and the troops preserved in such order and discipline³⁹, as, whenever they should be employed, gave the most encouraging prospect of victory.

Such was the report in favor of this young man, who appears to have been the first Roman statesman or warrior, who showed any considerable disposition to become acquainted with the literature and ingenious arts of the Greeks. In this particular, his Carthaginian rival is said to have advanced before him, having long studied the language and learning of those nations; and having in his retinue some persons from Greece to aid him in the use of their writings.

Scipio, while he commanded the Roman army in Spain, having already conceived his design upon

³⁹ Liv. lib. xxix. c. 20.

BOOK Africa, had with this view opened a correspondence
I. with Syphax, king of Numidia; and had actually made a visit in person to this prince, who, being at variance with Carthage, was easily prevailed upon to promise his support to the Romans, in case they should carry the war into that country. The Roman general, now ready to embark with a considerable army, sent Lælius with the first division, probably to examine the coast, to chuse a proper station at which to fix the assembling of his fleet, and to call upon the king of Numidia to perform his engagements.

This division of the fleet, at its first appearance, was supposed to bring the Roman Proconsul, with all his forces, from Sicily; and the Carthaginians, whatever reason they might, for some time, have had to expect this event, were, in a great measure, unprepared for it. They had their levies to make at home, and troops to hire from abroad; their fortifications were out of repair, and their stores and magazines unfurnished. Even their fleet was not in a condition to meet that of the enemy. They now hastened to supply these defects; and, though undeceived with respect to the numbers and force of the first embarkation, they made no doubt that they were soon to expect another; accordingly they continued their preparations, and took every measure to secure themselves, or to avert the storm with which they were threatened.

They had recently made their peace with Syphax, king of Numidia; and, instead of an enemy

in the person of this prince, had obtained for themselves a zealous ally. He had broke off his engagements with Scipio and the Romans, tempted by his passion for Sophonisba, the daughter of Hasdrubal, a principal citizen of Carthage, who refused to marry him on any other terms. But this transaction, which procured to the Carthaginians one ally, lost them another: for this high-minded woman, who, instead of a dower, contracted for armies in defence of her country, had formerly captivated Massinissa, another Numidian prince, that, being deprived of his kingdom by Syphax, had received his education, and formed his attachments, at Carthage⁴⁰. Massinissa, while he had hopes of an alliance with the family of Hasdrubal, engaged all his partisans in Numidia in behalf of the Carthaginians, and he himself fought their battles in person. But, stung with his disappointment, and the preference which was given to his rival, he determined to court the favor of their enemies; had made advances to Scipio, before his departure from Spain; and now, hearing of the arrival of the Roman fleet, hastened to Hippos, where Lælius had come to an anchor, and made offer of his assistance, with that of his friends in the kingdom of Numidia.

Such was the state of parties in Africa, when this country was about to become the scene of war. The Carthaginians, still in hopes of diverting the storm, sent earnest instructions to both their gene-

⁴⁰ Appian de Bell. Hispan. p. 275.

BOOK rals to press upon the Romans in Italy, and to
I. make every effort to distract or to occupy their forces, and to leave them no leisure for the invasion of Africa. They sent, at the same time, an embassy to the king of Macedonia, to remind him of the engagements into which he had entered, with Hannibal, and to represent the danger to which he and every other prince must be exposed from a people so ambitious as the Romans, if they were suffered to unite, by a conquest, the resources of Carthage with those of Rome.

Philip, at the earnest intreaty of many Grecian states, who were anxious that the Romans should have no pretext to embroil the affairs of Greece, had, in the preceding year, made a separate peace, first with the Etolians, and afterwards with the Romans themselves⁴¹; and was now extremely averse to renew the quarrel. The occasion, however, appeared to be of great moment; and he listened so far to the remonstrances of the Carthaginians, as to furnish them with a body of four thousand men, and a supply of money.

By such measures as these, hastily taken on the approach of danger, the Carthaginians endeavoured to make amends for the former remissness of their counsels. Hitherto they appear to have considered the war with little concern, and to have left their exertions to the ambition of a single family, by whom the State was engaged in this quarrel⁴².

⁴¹ Liv. lib. xxix. c. 13.

⁴² The sons of Hamilcar.

They neglected their strength at home, in proportion as they believed the enemy to be at a distance; and were indifferent to national objects, while their private interests were secure. C H A P.
V.

The harbour of Hippo, about fifty miles west from Carthage, and under the Fair Promontory, being seized by Lælius, furnished a place of reception for Scipio's fleet. This officer accordingly sailed from Sicily with fifty armed galleys, and four hundred transports. As he had reason to expect, that the country would be laid waste before him, great part of this shipping was employed in carrying his provisions and stores. The numbers of his army are not mentioned. His first object was to make himself master of Utica, situated about half-way between Carthage and Hippo, the place where he landed. He accordingly, without loss of time, presented himself before it; but soon found himself unable to execute his purpose. The country, to a considerable distance, was laid waste or deserted by the natives, and could not sustain his army. The Carthaginians had a great force in the field, consisting of thirty thousand men, under Hasdrubal the son of Gisgo, together with fifty thousand foot and ten thousand horse, under Syphax king of Numidia, who now advanced to the relief of Utica.

Scipio, on the junction and approach of these numerous armies, retired from Utica, took possession of a peninsula on the coast, fortified the isthmus which led to it, and in this station having a safe retreat, both for his fleet and his army, continued to

BOOK be supplied with provisions by sea from Sardinia,
I. Sicily, and Italy. But being thus reduced to act on the defensive in the presence of a superior enemy, and not likely, without some powerful reinforcements from Italy, to make any further impression on Africa, he had recourse to a stratagem which, though amounting nearly to a breach of faith, was supposed to be allowed in war with an African enemy.

The combined armies of Carthage and Numidia lay in two separate encampments, and, it being winter, were lodged in huts covered with brushwood and the leaves of the palm. In these circumstances the Roman general formed a design to set fire to their camp, and, in the midst of the confusion which that alarm might occasion, to attack them in the night. In order to gain a sufficient knowledge of the ground, and of the ways by which his emissaries must pass in the execution of this design, he entered into a negociation, and affected to treat of conditions for terminating the war. His deputies, under this pretence, being freely admitted into the enemy's station, brought him minute information of their position, and of the avenues which led to different parts of their camp.

Scipio being possessed of these informations, broke off the treaty, advanced with his army in the night, and, in many different places at once, set fire to Hasdrubal's camp. The flames, being easily caught by the dry materials, spread with the greatest rapidity. The Carthaginians, supposing that
 these

these fires were accidental, and having no apprehension of the presence of an enemy, ran without arms to extinguish them: And the Numidians, with still less concern, left their huts to gaze on the scene, or to lend their assistance. In this state of security and confusion Scipio attacked and dispersed them with great slaughter⁴³; and being, in consequence of this action, again master of the field, he returned to Utica, and renewed the siege or blockade of that place.

In such a surprize and defeat as the African armies had now received, they were likely to have lost their arms and their baggage, and to have nowhere sufficient numbers together to withstand an enemy; on this supposition, it had been already proposed at Carthage to have recourse to their last resort, the recalling of Hannibal from Italy. But this motion, upon a report from Hasdrubal and Syphax, that they were again arming and assembling their forces, and that they were joined by a recruit of four thousand men newly arrived from Spain, was for some time laid aside. These hopes, however, were speedily blasted by a second defeat which the combined army received before they were fully assembled, and by a revolution which ensued in the kingdom of Numidia, where Syphax, pursued by Massinissa and Lælius, was vanquished and driven from his kingdom, which from thenceforward became the possession of his rival, and a great accession of strength to the Romans. On this

C H A P.

V.

⁴³ Polyb. lib. xiv. c. 5. Liv. lib. xxx. c. 6.

BOOK I. calamity Hasdrubal being threatened by the populace of Carthage with vengeance for his repeated miscarriages, and being aware of the relentless and sanguinary spirit of his countrymen, durst not trust himself in their hands; and in a species of exile, with a body of eight thousand men that adhered to him, withdrew from their service.

In this extremity there was no hope but in the presence of Hannibal; and expresses were accordingly sent both to Mago and himself, to hasten their return into Africa, with all the forces they could bring for the defence of their country.

Hannibal, it is probable, had for some time been prepared for this measure, having transports in readiness to embark his army; yet he is said to have received the order with some expressions of rage.

“ They have now accomplished, he said (speaking of the opposite faction at Carthage), “ what, by “ withholding from me the necessary supports in “ this war, they have long endeavoured to effect. “ They have wished to destroy the family of “ Barcas; and rather than fail in their aim, are “ willing to bury it at last under the ruins of their “ country “.

While the Carthaginians were thus driven to their last resource, Scipio advanced towards their city, and invested at once both Tunis and Utica, which, though at the distance of above thirty miles from each other, may be considered as bastions on the right and the left, which flanked and com-

⁴⁴ Liv. lib. xxx. c. 20.

manded the country which led to this famous place. His approach gave the citizens a fresh alarm, and seemed to bring their danger too near to suffer them to await the arrival of relief from Italy. It appeared necessary to stay the arm of the victor by a treaty; and thirty Senators were accordingly deputed to sue for peace. These deputies, in their address to the Roman Proconsul, laid the blame of the war upon Hannibal, supported, as they alleged, by a desperate faction who had adopted his wild designs. They intreated that the Romans would once more be pleased to spare a republic which was again brought to the brink of ruin by the precipitant counsels of a few of its members.

In answer to this abject request, Scipio mentioned the terms upon which he supposed that the Romans would be willing to treat of a peace. A cessation of arms was agreed to, and a negotiation commenced; but it was suddenly interrupted and prevented of its final effect by the arrival of Hannibal. This general, after many changes of fortune, having taken the necessary precautions to secure his retreat, in case he should be called off for the defence of Carthage; now in the seventeenth year of the war, and after he had supported himself sixteen years in Italy, by the sole force of his personal character and abilities, against the whole weight, institutions, resources, discipline, and national character of the Romans, transported his army from thence, landed at Hadrumetum, at a distance from any of the quarters occupied by the

C H A P.
V.

U. C. 551.

BOOK

I.

Romans, and drew to his standard all the remains of the lately vanquished armies of Carthage, and all the forces which the republic was yet in a state to supply.

This event produced a change in the counsels of Carthage, and inspired the people with fresh presumption. They now slighted the faith which they had lately engaged to Scipio, and seized on all the Roman vessels, which, trusting to the cessation of arms, had taken refuge in their bay. They even insulted the messenger whom the Roman general sent to complain of this outrage; and thus hostilities, after a very short truce, were renewed with redoubled animosity and rancor on both sides.

The people of Carthage, under dreadful apprehensions of becoming a prey to the Romans, sent a message to Hannibal, then at Hadrumetum, to hasten his march, requesting him to attack the enemy, and at any hazard to relieve the city from the dangers and hardships of a siege. To this message he made answer, That in affairs of State the Councils of Carthage must decide; but in the conduct of war, the general who commands must judge of his opportunity to fight.

The forcing of Hannibal to evacuate Italy was a victory to Scipio; as this was the first fruit which he ventured to promise from the invasion of Africa. With this enemy, however, in his rear, it was not expedient to continue the attack of Tunis or Utica. He withdrew his army from both these places, and

prepared to contend for the possession of the field. C H A P.
V.

The Carthaginian leader, having collected his forces at Hadrumetum, marched to the westward, intending to occupy the banks of the Bagrada, and from thence to observe and counteract the operations of his enemy. Scipio, intending to prevent him, or to occupy the advantageous ground on the Upper Bagrada, took his route to the same country; and while both directed their march to Sicca, they met on the plains of Zama.

When the armies arrived on this ground, neither party was in condition to protract the war. Hannibal, whose interest it would have been to avoid any hazardous measures, and to tire out his enemy by delays, if he were in possession of his own country, or able to protect the capital from insult, was in reality obliged to risk the whole of its fortunes, in order to rescue it from the hands of the enemy, or to prevent their renewing the blockade.

Scipio was far advanced in an enemy's country, which was soon likely to be deserted by its natives, and exhausted of every means of subsistence; he was far removed from the sea, the principal and only secure source of any lasting supply; surrounded by enemies; a great army under Hannibal in his front; the cities of Utica, Carthage, and Tunis, with all the armed force that defended them, in his rear.

In such circumstances, both parties probably saw the necessity of immediate action; and the Carthaginian general, sensible of the unequal stake

BOOK

I.

he was to play, the safety of his country against the fortune of a single army, whose loss would not materially affect the State from whence they came, chose to try the effect of negotiation, and for this purpose desired a personal interview with Scipio.

In compliance with this request, the Roman general put his army in motion, and the Carthaginians advancing at the same time, they halted at the distance of thirty stadia, or about three miles, from each other. The generals, attended by a few horse, met on an eminence between their lines. Hannibal began the conference, by expressing his regret that the Carthaginians should have aimed at any conquests beyond their own coasts in Africa, or the Romans beyond those of Italy. “We began,” he said, “with a contest for Sicily; we proceeded to dispute the possession of Spain, and we have each in our turns seen our native land over-run with strangers, and our country in danger of becoming a prey to its enemies. It is time that we should distrust our fortune, and drop an animosity which has brought us both to the verge of destruction. This language indeed may have little weight with you, who have been successful in all your attempts, and who have not yet experienced any reverse of fortune; but I pray you to profit by the experience of others. You now behold in me a person who was once almost master of your country, and who am now brought, at last, to the defence of my own. I encamped within five miles of Rome, and

“ offered the possessions round the Forum to sale. C H A P.
 “ Urge not the chance of war too far. I now of- V.
 “ fer to surrender, on the part of Carthage, all
 “ her pretensions to Spain, Sardinia, Sicily, and
 “ every other island that lies between this conti-
 “ nent and yours. I wish only for peace to my
 “ country, that she may enjoy undisturbed her an-
 “ cient possessions on this coast; and I think, that
 “ the terms I offer you are sufficiently advan-
 “ tageous and honorable to procure it.”

To this address Scipio replied, “ That the Ro-
 “ mans had not been aggressors in the present or
 “ preceding wars with Carthage: that they strove
 “ to maintain their own rights, and to protect their
 “ allies; and that, suitably to these righteous in-
 “ tentions, they had been favored by the justice
 “ of the gods: that no one knew better than him-
 “ self the instability of human affairs, nor should
 “ be more on his guard against the chances of
 “ war. The terms,” he said, “ which you now
 “ propose might have been accepted of, had you
 “ offered them while yet in Italy, and had pro-
 “ posed, as a prelude to the treaty, to remove
 “ from thence; but now, that you are driven
 “ from every post, you propose to surrender, and
 “ are forced not only to evacuate the Roman ter-
 “ ritory, but are stripped of part of your own.
 “ These concessions are no longer sufficient; they
 “ are no more than a part of the conditions al-
 “ ready agreed to by your countrymen, and
 “ which they, on your appearance in Africa, so
 “ basely retracted. Besides what you now offer,

BOOK

I.

“ it was promised on their part, that all Roman
 “ captives should be restored without ransom; that
 “ all armed ships should be delivered up; that a
 “ sum of five thousand talents should be paid, and
 “ hostages given by Carthage for the performance
 “ of all these articles.

“ On the credit of this agreement we granted a
 “ cessation of arms, but were shamefully betrayed
 “ by the councils of Carthage. Now to abate any
 “ part of the articles which were then stipulated,
 “ would be to reward a breach of faith, and to in-
 “ struct nations hereafter how to profit by perfidy.
 “ You may therefore be assured, that I will not so
 “ much as transmit to Rome any proposal that
 “ does not contain, as preliminaries, every article
 “ formerly stipulated, together with such addi-
 “ tional concessions as may induce the Romans
 “ to renew the treaty. On any other terms than
 “ these, Carthage must vanquish, or submit at dis-
 “ cretion “.”

From this interview both parties withdrew with
 an immediate prospect of action; and on the fol-
 lowing day, neither having any hopes of advan-
 tage from delay or surprise, came forth into the
 plain in order of battle.

Hannibal formed his army in three lines with
 their elephants in front.

Scipio drew forth his legions in their usual divi-
 sions, but somewhat differently disposed.

Hannibal had above eighty elephants, with

“ Polyb. lib. xv. c. 6, 7, 8.

which he proposed to begin the action. Behind these he formed the mercenary troops, composed of Gauls, Ligurians, and Spaniards. In a second line he placed the Africans and natives of Carthage; and in a third line; about half a quarter of a mile behind the first, he placed the veterans who had shared with himself in all the dangers and honors of the Italian war. He placed his cavalry in the wings, opposite to those of the enemy.

Scipio posted Lælius with the Roman cavalry on his left, and Massinissa with the Numidian horse on his right. He placed the maniples, or divisions of the legions, not as usual, mutually covering their intervals, but covering each other from front to rear. His intention in this disposition was to leave continued avenues or lanes, through which the elephants might pass without disordering the columns. At the head of each line he placed the Velites, or irregular infantry, with orders to gall the elephants, and endeavour to force them back upon their own lines; or if this could not be effected, to fly before them into the intervals of the heavy-armed foot, and, by the ways which were left open between the maniples, to conduct them into the rear. It being the nature of these animals, even in their wild state, to be the dupes of their own resentment, and to follow the hunter by whom they are galled into any snare that is prepared for them “; the design thus formed by

“ Vid. Buff. Hist. Nat.

BOOK Scipio to mislead them, accordingly proved successful. **I.** As soon as the cavalry began to skirmish on the wings, Hannibal gave the signal for the elephants to charge. They were received by a shower of missile weapons from the Roman light infantry, and, as usual, carried their riders in different directions. Some broke into their own line with considerable disorder, others fled between the armies and escaped by the flanks, and many, incited with rage, as Scipio had foreseen, pursued the enemy that galled them through the intervals of the Roman divisions quite out of the action; and in a little time the front of the two armies was cleared of these animals, and of all the irregulars who had skirmished between them in the beginning of the battle.

In the mean time the first and second line of Hannibal's foot had advanced, to profit by the impression which the elephants were likely to make. The Third line still remained on its ground, and seemed to stand aloof from the action.

In this posture, the first line of the Carthaginian army, composed of Gauls and Ligurians, engaged with the Roman legions; and, after a short resistance, were forced back on the second line, who having orders not to receive them, nor allow them to pass, presented their arms. The fugitives were accordingly massacred on both sides, and fell by the swords of their own party, or by those of the enemy.

The second line, consisting of the African and native troops of Carthage, had a similar fate; they

perished by the hands of the Romans, or by those of their own reserve, who had orders to receive them on their swords, and turn them back, if possible, against the enemy. CHAP. V.

Scipio, after so much blood had been shed, finding his men out of breath and spent with hard labor, embarrassed with heaps of the slain, scarcely able to keep their footing on ground become slippery with mud and gore, and in these circumstances likely to be instantly attacked by a fresh enemy, who had yet borne no part in the contest; he endeavoured, without loss of time, to put himself in a posture to renew the engagement.

His cavalry, by good fortune, in these hazardous circumstances, were victorious on both the wings, and were gone in pursuit of the enemy. He ordered the ground to be cleared; and his columns, in the original form of the action, having been somewhat displaced, he ordered those of the first line to close to the centre; those of the second and third to divide, and, gaining the flanks, to form in a continued line with the front. In this manner, while the ground was clearing of the dead, probably by the Velites or irregular troops, he, with the least possible loss of time, and without any interval of confusion, completed his line to receive the enemy. An action ensued, which, being to decide the event of this memorable war, was likely to remain some time in suspense; when the cavalry of the Roman army, returning from the pursuit of the horse they had routed, fell

BOOK on the flank of the Carthaginian infantry, and
I. obliged them to give way.

Hannibal had rested his hopes of victory on the disorder that might arise from the attack of his elephants, and if this should fail, on the steady valor of the veterans, whom he reserved for the last effort to be made, when he supposed that the Romans, already exhausted in their conflict with the two several lines whom he sacrificed to their ardor in the beginning of the battle, might be unable to contend with the third, yet fresh for action and injured to victory. He was disappointed in the effect of his elephants, by the precaution which Scipio had taken in opening his intervals, and in forming continued lanes for their passage from front to rear; and of the effect of his reserve, by the return of the enemy's horse, while the action was yet undecided⁴⁷. Having taken no measures to secure a retreat, nor to save any part of his army, he obstinately fought every minute of the day to the last; and when he could delay the victory of his enemy no longer, he quitted the field with a small party of horse, of whom many, overwhelmed with hunger and fatigue, having fallen by the way, he arrived with a few, in the course of two days and two nights, at Hadrumetum. Here he embarked and proceeded by sea to Carthage. His arrival convinced his countrymen of the extent of their loss. Seeing Hannibal without an army, they believed themselves vanquished; and, with

⁴⁷ Polyb. lib. xv. c. 16.

minds unprovided with that spirit which supported the Romans when overthrown at Thrasimenus and Cannæ, were now desirous, by any concessions, to avert the supposed necessary consequences of their fate.

C H A P.
V.

The riotous populace, that had so lately pursued with vengeance, and threatened to tear asunder the supposed authors of peace¹⁸, were now silent, and ready to embrace any terms that might be prescribed by the enemy. Hannibal, knowing how little his countrymen were qualified to contend with misfortune, confessed to the Senate, that he was come from deciding, not the event of a single battle, but the fate of a great war, and advised them to accept of the victor's terms¹⁹. They accordingly determined to sue for peace.

In the mean time the Roman army, in pursuit of its victory, was returned to the coast; and having received from Italy a large supply of stores and military engines, together with a reinforcement of fifty galleys, was in a condition, not only to resume the siege of Utica and Tunis, but likewise to threaten with a storm the capital itself; and, for this purpose, began to invest the town and block up the harbour.

Scipio being himself embarked, and conducting the fleet to its station, was met by a Carthaginian vessel that hoisted wreaths of olive and other

¹⁸ Appian de Bell. Punic. p. 31.

¹⁹ Polyb. lib. xv. c. 4—17. Liv. lib. xxx. c. 31.

BOOK

I.

ensigns of peace. This vessel had ten commissioners on board, who were authorized to declare the submission of Carthage, and to receive the victor's commands.

The ambition of Scipio might have inclined him to urge his victory to the utmost, that he might carry, instead of a treaty, the spoils of Carthage to adorn his triumph at Rome. But the impatience with which the Consuls of the present and of the preceding year endeavoured to snatch from his hands the glory of terminating the war, may, with other motives, have induced him to receive the submission of the vanquished upon the first terms that appeared sufficiently honorable, and suited to the object of the commission with which he had been intrusted.

In allusion to this circumstance, he was heard to say, that Claudius, by his impatience to supplant him in this command, had saved the republic of Carthage⁵⁰. But men seldom act from any single consideration; and Scipio is, in all probability, justly supposed to have had other and nobler motives than this jealousy of a successor. He is even said to have spared the rival of his country, in order to maintain the emulation of courage and of national virtue. This motive Cato, who had served under him in the capacity of Quæstor, and who was not inclined to flatter, did him the honor to assign in a speech to the Senate⁵¹.

⁵⁰ Appian de Bell. Punic. p. 36.

⁵¹ Ibid.

Scipio, having appointed the Carthaginian commissioners to attend him at Tunis, prescribed the following terms:

That Carthage should continue to hold in Africa all that she had possessed before the war, and be governed by her own laws and institutions:

That she should make immediate restitution of all Roman ships or other effects taken in violation of the late truce:

Should release or deliver up all captives, deserters, or fugitive slaves taken or received during any part of the war:

Surrender the whole of her fleet, saving ten gallies of three tier of oars:

Deliver up all the elephants she then had in the stalls of the republic, and refrain from taming or breaking any more of those animals:

That she should not make war on any nation whatever without consent of the Romans:

That she should indemnify Massinissa for all the losses he had sustained in the late war:

And, to reimburse the Romans, pay a sum of ten thousand talents⁵², at the rate of two hundred talents a-year for fifty years:

That the State should give hostages for the performance of these several articles, such as Scipio should select from the noblest families of Carthage not under fourteen, nor exceeding thirty years of age:

⁵² Near two millions sterling.

BOOK

I.

And that, until this treaty should be ratified, they should supply the Roman forces in Africa with pay and provisions.

When these conditions were reported in the Senate of Carthage, one of the members arose, and, in terms of indignation, attempted to dissuade the acceptance of them: but Hannibal, with the tone of a master, interrupted and commanded him silence. This action was resented by a general cry of displeasure; and Hannibal, in excuse of his rashness, informed the Senate, that he had left Carthage while yet a child of nine years old; that he was now at the age of forty-five; and, after a life spent in camps and military operations, returned for the first time to bear his part in political councils; that he hoped they would bear with his inexperience in matters of civil form, and regard more the tendency than the manner of what he had done; that he was sensible the proposed terms of peace were unfavorable, but he knew not how else his country was to be rescued from her present difficulties; he wished to reserve her for a time in which she could exert her resolution with more advantage. He hoped that the Senate would, in the present extremity, accept, without hesitation, and even without consulting the people, conditions which, though hard, were, notwithstanding, less fatal to the commonwealth than any one could have hoped for in the night that followed the battle of Zama¹.

¹ Polyb. lib. xv. c. 18. Liv. lib. xxx. c. 37.

The conditions were accordingly accepted, and deputies were sent to Rome with concessions, which in some measure stripped the republic of her sovereignty. The ratification of the treaty was remitted to Scipio, and the peace concluded on the terms he had prescribed.

C H A P.

V.

U. C. 552.

Four thousand Roman captives were instantly released: five hundred galleys were delivered up and burnt: the first payment of two hundred talents was enacted, and, under the execution of this article, many members of the Carthaginian Senate were in tears. Hannibal was observed to smile, and being questioned on this insult to the public distress, made answer, That a smile of scorn for those who felt not the loss of their country, until it affected their own interest, was an expression of sorrow for Carthage.

C H A P. VI

State of Rome at the Peace with Carthage. — Wars with the Gauls. — With the Macedonians. — Battle of Cynocéphala. — Peace. — Freedom to Greece. — Preludes to the War with Antiochus. — Flight of Hannibal to that Prince. — Antiochus passes into Europe. — Dispositions made by the Romans. — Flight of Antiochus to Asia. — His defeat at the Mountains of Sipylus. — Peace and Settlement of Asia. — Course of Roman Affairs at Home, &c.

BOOK
I.

IN the course of the war, which terminated in so distinguished a superiority of the Roman over the Carthaginian republic, the victors had experienced much greater distress than had, even in the last stage of the conflict, fallen to the share of the vanquished. The greater part of their territory, during a series of years, lay waste; was ruined in its habitations, plundered of its slaves and its cattle, and deserted of its people. The city itself was reduced to a scanty supply of provisions that threatened immediate famine¹. Among other modes of taxation devised at this time, the monopoly of salt was established or renewed; but every public fund that was constituted in the ordinary way being insufficient, the State had recourse to the

¹ Polyb. Excerptæ Legationes.

voluntary contribution of its members, and called for their plate and other ornaments of silver and gold to defray the expenses. They debased their silver coin by a great mixture of alloy, and farther reduced the copper As from its late coinage at two ounces to one². The numbers of the people on the rolls, either by desertion or by the sword of the enemy, uncommonly fatal in such a series of battles, were reduced from two hundred and seventy thousand to nearly the half³.

In the musters and levies, no less than twelve colonies at once withheld their names, and refused their support. Yet, proof against the whole of these sufferings, the Romans maintained the conflict with a resolution, which seemed to imply, that they considered the smallest concession as equivalent to ruin. In the farther exertion of this unconquerable spirit, when the pressure of this war was removed, their fortunes rose to a flood of prosperity and greatness, proportioned to the low ebb to which they seemed to have fallen in the course of it.

They joined, in Sicily, to their former possessions, the city of Syracuse, and the whole kingdom of Hiero. In Spain, they succeeded to all the possessions, to all the claims and pretensions of Carthage, and became masters of all that had been the subject of dispute in the war. They brought Carthage

² Plin. Nat. Hist. lib. iii. c. iiii.

³ These were probably the citizens, fit to carry arms, residing in the city; for it was not yet the practice to enrol those who did not offer their names at Rome.

BOOK I. herself under contribution, and reduced her almost to the state of a province.

On the side of Macedonia and Illyricum, in their treaty with Philip and his allies, they retained to themselves considerable pledges, not only of security, but of power; and began to be considered in the councils of Greece, as the principal arbiters of the fortunes of nations.

In Italy, where their progress was still of greater consequence, they became more absolute masters than they had been before the war. The cantons, which, in so general a defection of their other allies, had continued faithful to them, were fond of the merit they had acquired, and were confirmed in their attachment by the habits of zeal which they had exerted in so prosperous a cause. Those, on the contrary, who had revolted, or withdrawn their allegiance, were reduced to a state of submission more entire than they had formerly acknowledged; and the sovereignty of this whole country being, till now, precarious and tottering, derived, from the very storm which had shaken it, stability and force.

But, notwithstanding the splendor of such rapid advancement, and of the high military and political talents which procured it, if by any accident the career of the Romans had been stopt at the present æra, their name, it is probable, would never have appeared on the record of polished nations, nor they themselves been otherwise known than as a barbarous dynasty, that fell a prey to some more fortunate pretenders to dominion and conquest.

The Romans, being altogether men of the sword, or of the State, made no application to letters, or sedentary occupations. Cato is introduced by Cicero as saying, That it had been anciently the fashion at Roman feasts to sing heroic ballads in honor of their ancestors; but that this custom had been discontinued in his own time; and it is probable, from the great change which their language underwent in a few years, that they had no popular or established compositions in writing, or even in vulgar tradition, by which the uniformity of language has, in other instances, been longer preserved. They had hitherto no historian, poet, or philosopher; and it was only now, that any taste began to appear for the compositions of such authors. Fabius, Ennius, and Cato, became the first historians of their country, and raised the first literary monuments of genius that were to remain with posterity*.

The inclination which now appeared for the learning of the Greeks was, by many, considered as a mark of degeneracy, and gave rise to the never-ending dispute, which, in this as in other nations, took place between the patrons of ancient and modern manners. The admirers of ancient times, being attached to what they received from their ancestors, were disposed to reject every new improvement, and seemed willing to stop the progress of ingenuity itself. The gay and the fashionable, on the other hand, liked what was new; were fond of every change, and would

* In the sixth century of Rome.

BOOK

1.

ever adopt the latest invention as the model of propriety, elegance, and beauty.

To the simplicity of the Roman manners in other respects, and to the ability of the most accomplished councils of State, was joined a very gross superstition, which led to many acts of absurdity and cruelty. In this particular it appears, that the conceptions of men are altogether unconnected with their civil and political, as well as military character; and that the rites they adopt, even when innocent, and the most admissible expressions of worship, do not deserve to be recorded for any other purpose, than to show how far they are arbitrary; and how little, in many instances, they are directed, even among nations otherwise the most accomplished by any rule of utility, humanity, or reason.

A little time before the breaking out of the late war, the Roman Senate, upon the report of a prophecy, that the Gauls and the Greeks were to possess the city, ordered a man and a woman of each of those nations to be buried alive in the market-place; supposing, we may imagine, that, by this act of monstrous injustice and cruelty, they were to fulfil or elude the prediction⁵. They attended to the numberless prodigies that were annually collected, and to the charms that were suggested to avert the evils which those prodigies were supposed to presage, no less than they did to the most serious affairs of the Commonwealth⁶.

⁵ Plutarch, in Vit. Marcell.

⁶ Vide Liv. passim.

They frequently seemed to impute their distresses, more to the neglect of superstitious rites, than to the misconduct of their officers, or to the superiority of their enemies. Fabius, who, by perseverance and steadiness, had the merit of restoring their affairs, was no less celebrated for this diligence in averting the effect of prodigies and unhappy presages, than he was for the conduct and ability of a cautious and successful commander⁷. Even Scipio is said to have been influenced by his dreams, and to have pretended to special revelations.

From such examples as these, we may learn the fallacy of partial representations of national character, and carefully to guard against drawing any inference from the defects or accomplishments which a people may exhibit of one kind, to establish those of another.

The peace with Carthage was introduced with some particular acts in favor of those who had suffered remarkably in the hardships and dangers of the war. Large quantities of corn that had been seized in the magazines of the enemy, were sold in the city at a low price, and a considerable distribution of land was made to numbers of the people in reward of their long and perilous services.

These precedents, however reasonable in the circumstances from which they arose, were the sources of great abuse; private citizens, in the sequel, were taught to rely on public gratuities, and were made to hope, that, in the midst of

⁷ Plutarch, in Vit. Fab. Max.

BOOK

I.

loth and riot, they might subsist without care, and without industry. Soldiers were taught to expect extraordinary rewards for ordinary services; and ambitious leaders were instructed how to transfer the affection and the hopes of the legions from the republic to themselves.

The treaty with Carthage, while it terminated the principal war in which the Romans were engaged, left them at leisure to pursue a variety of quarrels, which still remained on their hands, rather than bestowed entire peace. The Insubres, and other Gaulish nations on the Po, although they had not taken the full advantage, which the presence of Hannibal in Italy might have given them against the Romans, were unable to remain at peace, and were unwilling to acknowledge the sovereignty of any nation over their own. Having a Carthaginian exile, of the name of Hamilcar, at their head, they attempted again to dislodge the colonies of Cremona and Placentia; and, on that side, with various events for some years, furnished occupation to the arms of the republic.

Philip, notwithstanding the treaty of peace, which, about three years before, he had concluded with the Romans, had lately supplied the Carthaginians with an aid of four thousand men, and a sum of money. Of the men he had sent to the assistance of Carthage, many had been taken at the battle of Zama, and detained as captives. Trusting, however, to the authority of his crown, he sent, during the dependance of the treaty between the Romans and Carthaginians, a message to demand the enlarge-

ment of those Macedonian captives. To this message the Senate replied with disdain, that the king of Macedonia appeared to desire a war, and should have it. CHAP.
VI.

The People, nevertheless, wearied and exhausted with the late contest, engaged in this war with uncommon reluctance. The Senate, they thought, was directed by the ambition of a few members, who never ceased to seek for new subjects of triumph, and for fresh occasion of military honors. But notwithstanding their aversion to enter into a war upon these motives, they were persuaded to give their consent upon a representation of the great progress which was making by the king of Macedonia, and the supposed necessity of carrying the war into his own country, in order to check or prevent his designs upon Italy.

Philip, from being the head of a free confederacy, in which the Achæans, and many other states of Greece, were united, aspired to become the despotic sovereign of that country; and, either by insinuation or force, had made himself master of most places of consequence round the Ægean sea, whether in Europe or Asia. Upon the death of Ptolemy Philopater, and the succession of an infant son of that prince to the throne of Egypt, Philip had entered into a treaty with Antiochus, king of Syria, to divide between them the possessions of the Egyptian monarchy; and, in order to be ready for his more distant operations, was busy in reducing the places which still held out against him in Greece, and in its neighbourhood.

BOOK

I.

For this purpose he sent an army with orders to take possession of Athens, and was himself employed in the siege of Abydos. The Athenians sent a message to Rome to sue for protection. "It is no longer a question," said the Consul Sulpicius, in his harangue to the people, "whether you will have a war with Philip, but whether you will have that war in Macedonia or in Italy. If you stay until Philip has taken Athens, as Hannibal took Saguntum, you may then see him arrive in Italy, not after a march of five months, and after the passage of tremendous mountains, but after a voyage of five days from his embarkation at Corinth."

These considerations decided the resolution of the Roman People for war; and the officers, yet remaining in Sicily at the head of the sea and the land forces that had been employed against Carthage, had orders, without touching on Italy, to make sail for the coast of Epirus.

U. C. 552.

The Consul Sulpicius was destined to command in that country. He found, upon his arrival, that Attalus, the king of Pergamus, and the republic of Rhodes, had taken arms to oppose the progress of Philip. In concert with these allies, and in conjunction with the Dardanians and other cantons who joined him on the frontiers of Macedonia, the Roman Consul was enabled to relieve and to protect the Athenians. But the other states of Greece, though already averse to the pretensions of Philip, and impatient of his usurpations; even the Etolians, though the most determined oppo-

nents of this prince, seemed to be undecided on this occasion, and deferred entering into any engagement with the Romans. The reputation of the Macedonian armies was still very high; and it was doubtful, whether these Italian invaders, considered as an upstart and a barbarous power, might be able to protect the states that declared for them against the vengeance of so great a king^s.

The two first years of the war elapsed without any decisive event. Philip took post on the mountains that separate Epirus from Thessaly, and effectually prevented the Romans from penetrating any farther. But, in the third year, Titus Quintus Flamininus, yet a young man under thirty years of age, being Consul and destined to this command, brought to an immediate issue a contest which, till then, had been held in suspense.

The Roman legion, except in its first encounters with Pyrrhus, had never measured its force, or compared its advantages with any troops formed on the Grecian model, and, to those who reasoned on the subject, may have appeared greatly inferior to the Macedonian phalanx. One presumption, indeed, had appeared in favor of the legion, that both Pyrrhus and Hannibal thought proper to adopt its weapons, though there is no account of their having imitated the line of battle, or form of its manipules.

The phalanx was calculated to present a strong

^s Plutarch, in Vit. Flamin. p. 407

B O O K and impenetrable front, supported by a depth of
I. column, which might be varied occasionally to suit with the ground. The men were armed with spears of twenty-one or twenty-four feet in length. The five first ranks could level and carry their points to the front of the column. The remainder rested their spears obliquely on the shoulders of those that were before them; and, in this posture, formed a kind of shed to intercept the missiles of the enemy; and, with their pressure, supported, or urged, the front of their own column.

In the shock of the phalanx and legion, it is computed, that every single man in the front of the legion, requiring a square space of six feet in which to ply his weapons, and acting with his buckler and sword, had ten points of the enemy's spears opposed to him⁹: nevertheless, the strength of the phalanx being entirely collected in front, and depending on the closeness of its order; when attacked on the flank or the rear, when broken or taken by surprise, and unformed, it was easily routed, and was calculated only for level ground, and the defence of a station accessible only in one direction.

The Roman legion could act on its front, its flank, or its rear. Each division, or manipule, and even the men that composed it, could act apart; and, if they had space enough to ply their weapons, could scarcely be taken by surprise, or be made to suffer for want of a determinate order.

⁹ Polyb. lib. xvii. c. 23.

It was serviceable therefore, upon any ground, and, except on the front of the phalanx, had an undoubted advantage over that body. C H A P.
VI.

In its ordinary form, the legion made its attack by separate divisions, at considerable intervals; and this mode of attack had a tendency to break and disjoin the front of the phalanx. The divisions of the second line were made to face the intervals of the first, in order to take advantage of any disorder that might arise from the impression made on the enemy, whether they repulsed and pursued, or gave way to the divisions that attacked them.

Such are the reasonings which occurred to military men, at least after the events of the present war. In the mean time the Romans, in whatever degree they comprehended this argument, had sufficient confidence in their own weapons, and in their loose order, to encounter the long spear and compacted force of their enemy.

When Flaminius arrived in Epirus, Philip received him in a rugged pass, where the Aëus bursts from the mountains that separate Epirus from Thessaly. This post was strong, and could be defended even by irregular troops; but the phalanx, in this place, had none of its peculiar advantages; the Romans got round it upon the heights, and obliged the king of Macedonia to retire. He fled through Thessaly; and, to incommode the enemy in their attempts to pursue him, laid waste the country as he passed. U. C. 555.

The flight of Philip determined the Etolians to take part in the war against him; and the Roman

BOOK

I.

general, after the operations of the campaign, being to winter in Phocis on the gulph of Corinth, found, that the greater part of the Achæan states were likewise disposed to join him. He took advantage of this disposition, and got possession of all the towns in the Peloponnesus, except Corinth and Argos, which hitherto had been in alliance with the enemy.

In the following spring, Philip, having with great industry collected and disciplined the forces of his kingdom, received Flamininus in Thessaly. The armies met in the neighbourhood of Pheræ; but the country, being interspersed with gardens, and cut with plantations and hedges, the king declined a battle and withdrew. Flamininus, knowing that he had magazines at Scotusa, supposed that he was gone towards that place, and followed by a route that was separated from that of the king by a ridge of hills. In the first day's march, the Romans and Macedonians were hid from each other by the heights; on the second day they were covered by a thick fog, which hindered them from seeing distinctly even the different parts of their own armies.

The scouts and advanced parties on both sides, had, about the same time, ascended the heights to gain some observation of their enemy. They met by surprise, and could not avoid an engagement. Each party sent for support to the main body of their respective armies. The Romans had begun to give way, when a reinforcement arrived, that enabled them, in their turn, to press on the enemy,

and to recover the height from which they had been forced. Philip was determined not to hazard his phalanx on that unfavorable ground, broken and interspersed with little hills; which, on account of their figure, were called the Cynocephalæ¹⁰. He sent, nevertheless, all his horse and irregular infantry to extricate his advanced party, and to draw them off with honor. Upon their arrival, the advantage came to be on the side of the Macedonians; and the Roman irregulars were forced from the hills in the utmost disorder. The cry of victory was carried back to the camp of the king. His courtiers exclaimed, that now was the time to urge a flying enemy, and to complete his advantage. The king hesitated; but could not resist the general voice. He ordered the phalanx to move; and he himself at the head of the right wing, while his left was marching in column, had arrived and formed on the hill. On his way to this ground, he was flattered with recent tracts of the victory which had been gained by his troops.

Flaminius, at the same time, alarmed at the defeat of his light infantry, and seeing a kind of panic likely to spread through the legions, put the whole army in motion, and advanced to receive his flying parties. In that point of time the fog cleared up and showed the right of the Macedonian phalanx already formed upon the height.

Flaminius hastily attacked this body, and, being

¹⁰ The name implies, that these hills resembled the head of a dog.

BOOK I. unable to make any impression, gave up the day, on that quarter for lost. But observing that the enemy opposite to his right were not yet come to their ground, he instantly repaired to that wing, and, with his elephants and light infantry, supported by the legions, attacked them before the phalanx was formed, and put them to flight.

In this state of the action, a Tribune of the victorious legion, being advanced in pursuit of the enemy, as they fled beyond the flank of their own phalanx on the right, took that body in the rear; and, by this fortunate attempt, in so critical a moment, completed the victory in all parts of the field.

Thus Philip, if his phalanx had any advantage over the legion of the Romans, had not, in two successive encounters, been able to avail himself of it; and it may well be supposed, that in the movements of armies, which often require them to act on varieties of ground, the chances were great in favor of the more versatile body¹¹.

From this field the king of Macedonia fled with a mind already disposed not to urge the fate of the war any farther. He retired to the passes of the mountains that surround the valley of Tempe, and from thence sent a message to the Roman general with overtures of peace.

It was a fortunate circumstance in the manners and policy of the Romans, that the same motives of ambition which urged the rulers of the state

¹¹ Polyb. lib. xvii. c. 22.

to war, likewise, on occasion, inclined the leaders of armies to peace, made them admit from an enemy the first offers of submission, and embrace any terms on which they could for themselves lay claim to a triumph.

The prayer of the republic, in entering on a war, included three objects, safety, victory, and an enlargement of territory¹². Every general endeavoured to obtain these ends for his country; but, in proportion as he approached to the completion of his wishes, he became jealous of his successor, and desirous to terminate the war before any other should come to snatch out of his hands the trophies he had won. This people appeared, therefore, on most occasions, willing to spare the vanquished, and went to extremities only by degrees, and urged by the ambition of successive leaders, who, each in his turn, wished to make some addition to the advantages previously gained to his country. At the same time, the State, when furnished with a fair pretence for reducing a province to subjection, made the most effectual arrangements to accomplish this purpose.

Flamininus, on the present occasion, encouraged the advances that were made to him by Philip, granted a cessation of arms, gave him an opportunity to continue his applications for peace at Rome, and forwarded the messenger whom he sent on this business. The Senate, on being informed that the king of Macedonia cast himself entirely on the

¹² Liv. lib. xxxi. c. 5.

B O O K mercy and justice of the Romans, named ten commissioners to be joined with Flaminius, and to
I. determine, in presence of the other parties concerned in the war, what were to be the terms on which peace should be granted.
U. C. 557.

The time was not yet come for the Romans to lay hold of any possessions beyond the sea of Ionia. They had passed into that country as the protectors of Athens, were now satisfied with the title of Deliverers of Greece; and, under pretence of setting the republics of that quarter free, detached them from the Macedonian monarchy; but, in this manner, made the first step towards conquest, by weakening their enemy, and by stripping him of great part of that power with which he had been able to resist them in the late war.

They obliged the king of Macedonia to withdraw his garrisons from every fortress in Greece, and to leave every Grecian city, whether of Europe or Asia, to the full enjoyment of its own independence and separate laws.

To secure the effects of this treaty, they obliged him to surrender all his ships of war, except one galley, on which, it was said, were mounted sixteen tier of oars, requiring a height above the water, and dimensions in every part, more fitted for ostentation than wieldiness or use.

They made him reduce his ordinary military establishment to five hundred men, and forbade him entirely the use of elephants.

For themselves, they desired only to have the Roman captives restored, deserters delivered up,

and a sum of one thousand talents to reimburse the
 expence of the war ¹³. CH A P.
 VI.

By this treaty the Romans not only weakened their enemy, but acquired great accessions of reputation and general confidence. They announced themselves as protectors of all free nations; and in this character took an ascendant, which, even over the states they had rescued from foreign usurpations, by degrees might rise into sovereignty and a formal dominion.

To give the greater solemnity to the gift of liberty which they made to the Grecian states, they had this act of splendid munificence proclaimed at the Isthmus of Corinth, in presence of great multitudes from every part of Greece met to solemnize the ordinary games; and, in return, were extolled by the flatterers of their power, or the dupes of their policy, as the common restorers of freedom to mankind.

The Romans hastened the completion of the treaty, by which they disarmed the king of Macedonia, upon having received information, that Antiochus, king of Syria, was in motion with a mighty force, and, without declaring his intentions, made sail towards Europe. This prince succeeded to the kingdom of Syria a few years before Ptolemy Philopater began to reign in Egypt, or Philip in Greece; and was nearly of the same age with those princes. In his youth he waged war with the kingdom of Egypt for the possession of the Cælo-Syria,

¹³ Liv. lib. xxxiii. c. 31.

B O O K and with the Satraps or governors of his own provinces, who attempted to render themselves independent, and to dismember his kingdom. His success in re-uniting all the members of his own monarchy, put him in possession of a great empire, which reached from the extremities of Armenia and Persia to Sardis and the seas of Greece. The splendor of his fortunes procured him the title of Antiochus the Great. The crown of Egypt had been, for some time, the principal object of his jealousy and of his ambition. He had made an alliance with Philip, in which the common object of the parties was to avail themselves of the minority of Ptolemy: but he was not aware, in time, how much the king of Macedonia stood in need of his support against the Romans; or how much it was his interest to preserve that kingdom as a barrier against the incroachments of an ambitious people, who now began to direct their views to the East. He advanced, however, though now too late, by the coast of Asia to the Hellespont, with a fleet and an army rather destined for observation, than for any decided part in a war which was brought to a conclusion about the time of his arrival in those parts.

At Lyfimachia, the Roman deputies, who were charged with the adjustment and execution of the late treaty, met with Antiochus, and remonstrated against some of his proceedings on the coast of Asia, as affecting the possessions both of Philip and of Ptolemy. They complained of his present invasion of Europe with a hostile force. "The Ro-

"mans," they said, "had rescued the Greeks from Philip, not to deliver them over to Antiochus." They demanded a restitution of all the towns he had taken from Ptolemy, and enjoined him to refrain from any attempts on the freedom of Greece.

To these remonstrances and requisitions the king of Syria with scorn replied, That he knew the extent of his rights, and was not to be taught by the Romans: that they were busy in setting bounds to the ambition of other states, but set no bounds to their own; advised them to confine their views to the affairs of Italy, and to leave those of Asia to the parties concerned.

During the conferences which were held on these subjects, each of the parties, without communicating what they heard to the others, received a report of the death of Ptolemy, the infant king of Egypt; and they separated from each other, intent on the evils to be apprehended, or the benefits to be reaped, from this event.

This report, in which both parties were soon after undeceived, occasioned the return of Antiochus into Syria, and suspended for some time the war which he was disposed to carry into Europe¹⁴.

Under pretence of observing the motions of this prince, the Romans, although they had professed an intention to evacuate the Greek cities, still kept possession of Demetrias, a convenient sea-port in

¹⁴ Liv. lib. xxxiii. c. 41.

BOOK I. Thessaly, and of Chalcis on the straits of Eubæa; and Flamininus, under pretence of restraining the violence of Nabis, the tyrant of Lacedemon, and of restoring the tranquillity of that country¹, still remained with an army in the Peloponnesus.

While the Romans were carrying their fortunes with so high a hand in this part of the world, and defeating armies hitherto deemed invincible, they received a considerable check in Spain.

That country had been recently divided into two provinces; and, though now possessed by the Romans, without the competition of any foreign rival, it continued to be held by a very difficult and precarious tenure, that of force, opposed to the impatience and continual revolts of a fierce and numerous people.

Spain had already furnished to Italy its principal supplies of silver and gold. At every triumph obtained in that country, the precious metals were brought in considerable quantities to the treasury of Rome; but were purchased for the most part with the blood of her legions, and led her into a succession of wars, in which she experienced defeat as well as victory. About the time that Flamininus had terminated the war in Macedonia; the Proconsul Sempronius, in the nearer province of Spain, was defeated with the loss of many officers of rank. He himself was wounded in the action, and soon after died.

Even the Roman possessions in Italy were not

¹ Liv. lib. xxxiii. c. 43.

yet fully recovered from the troubles that had arisen in the time of the late war with Carthage. The Gaulish nations on the Po still continued in a state of hostility. The slaves, of which the numbers had greatly increased in Etruria, and other parts of the country, being mostly captives taken from enemies enured to arms and to violence, interrupted their servitude with frequent and dangerous insurrections. Having persons among them, who had been accustomed to command as well as to obey, they often deserted from their masters, formed into regular bodies, and encountered the armies of the republic in battle¹⁶.

The ridge of the Appenines beyond the confines of Etruria and the Roman frontier, still harboured fierce and numerous tribes known by the name of Ligurians and Gauls, who not only often and long defended their own mountains and woods, but likewise frequently invaded the territory of the Romans. Here, or in Spain, during the recess of other wars, there was a continual service for the Consuls and Prætors, and a continual exercise to the legions. The State, nevertheless, though still occupied in this manner with petty enemies and desultory wars, never lost sight of the great objects of its jealousy, from whom were to be apprehended a more regular opposition, and better concerted designs against its power. Among these, the Carthaginians were not likely to continue longer at peace than until they recovered their strength, or

¹⁶ Liv. lib. xxviii. c. 36.

248 THE PROGRESS AND TERMINATION

B O O K

I.

had the prospect of some powerful support. Antiochus, possessed of all the resources of Asia, was ready to join with this or any other state that was inclined to check the advancement of the Roman power.

U. C. 558.

About a year after the conclusion of the war with Philip, the Romans received intelligence, that the Carthaginians had entered into a correspondence with Antiochus; and as their supposed implacable enemy, Hannibal, was then in one of the first offices of state at Carthage, it was not doubted, that the secret intrigues of those parties were hostile to Rome. It was determined, therefore, to send a proper commission into Africa, under pretence of an amicable mediation, in some differences that subsisted between Massinissa and the people of Carthage; but with injunctions to the commissioners to penetrate, if possible, the designs of the Carthaginians; and, if necessary, to demand that Hannibal, the supposed author of a dangerous conspiracy against the peace of both the republics, should be delivered up.

This great man, from the termination of the late war, had acquitted himself in the political departments, to which he had been appointed, with an integrity and ability worthy of his high reputation as a soldier; but his reformatations in a corrupted state had procured him enemies at home, not less dangerous than those he had encountered abroad⁴⁷. Upon the arrival of the Roman de-

⁴⁷ Liv. lib. xxxiii. c. 46-49.

puties, he suspected that the commission regarded himself, and made no doubt that a faction whose ambition he had restrained, and many particular persons whom he had recently incensed by the reformation of certain abuses in which they were interested, would gladly seize that opportunity to rid themselves of a powerful enemy, and from fear or some other motives, prevail on a corrupted people to deliver him up to the Romans. It is said, that he had been long prepared for an emergence of this sort, and, without any embarrassment, appeared upon the arrival of these messengers, in all the functions of his public character; but at night withdrew to the coast, and set sail for Asia¹⁸. He was received by Antiochus at Ephesus, and treated as a person worthy to direct the councils of a great king; an office too much exposed to envy for the favorites of a court, or even for the prince himself long to endure.

From this time forward the king of Syria, supposed to be governed by the counsels of Hannibal, became the principal object of attention and of jealousy at Rome; and though he seemed to remain in tranquillity during about three years after the acquisition of this formidable counsellor, yet it was not doubted that the first violent storm was to burst from that quarter.

Flaminius had, during the greater part of this interval, remained in Greece; had been occupied in settling the affairs of that country, and in ob-

¹⁸ Liv. lib. xxxiii. c. 46—49.

B O O K serving the Etolians, who, being dissatisfied with
 I. the late peace, endeavoured to raise a spirit of discontent against the Romans. He made war at the same time against Nabis the tyrant of Lacedemon; and though he failed in his attempt to force this famous usurper in his own capital, he obliged him to evacuate Argos, and to cede all his possessions on the coast. By these means he removed all the dangers with which any of the States of the Achæan league had been threatened, and restored them to the full possession of their freedom.

To leave no ground of jealousy or distrust in Greece, Flamininus persuaded the Roman commissioners to evacuate Demetrias, Chalcis, and Corinth, which they were disposed to retain in the prospect of a war with Antiochus; and having thus concluded the affairs that were intrusted to him, he returned into Italy, and made his entry at Rome in a triumphal procession, which lasted three days, with a splendid display of spoils, captives, and treasure¹⁹.

All the troubles of Greece, at the departure of Flamininus, seemed to be composed; these appearances, however, were but of short duration. Nabis was impatient under his late concessions; and flattering himself that the Romans would not repass the sea merely to exclude him from the possession of a few places of little consequence on the coast of the Peloponnesus, began to employ insinuation, corruption, and open force, in order to

¹⁹ Liv. lib. xxxiv. c. 52.

recover the towns he had lost. In this design he was encouraged by the Etolians, who flattered him with the hopes of support, not only from themselves, but likewise from Antiochus, and even from Philip; all of whom had an evident interest in repressing the growing power of the Italian republic. The Etolians had expected, at the close of the war with Philip, to come into the place of that prince, as the head of all the Grecian confederacies, and to have a principal share in the spoils of his kingdom. They urged the Roman commissioners to the final suppression of that monarchy; and, being disappointed in all their hopes, complained of the Romans, as bestowing upon others the fruits of a victory which had been obtained chiefly by their means, and as having, under the pretence of setting the Greeks at liberty, reduced that country into a weak and disjointed state, which might in any future period render it an easy prey to themselves.

Flaminius accordingly had, in all his measures for the settlement of Greece, found from this people a warm and obstinate resistance. He found them endeavouring to form a powerful confederacy against the Romans, and for this purpose engaged in intrigues with Nabis, Philip, and Antiochus; applying to each of them in terms suited to the supposed injuries they had severally received in the late war, or in the negotiations that followed.

At the conclusion of the peace with Philip, Antiochus thinking himself by the effects of that treaty aggrieved, in respect to the freedom granted

BOOK to some cantons in Thrace, on which he derived a
I. claim from his ancestors, sent an embassy to Rome with remonstrances on that subject. The Romans made answer, In the capacity which they had assumed of the deliverers of Greece, that they would oppose every attempt to enslave any Grecian settlement; and as they had no design on Asia, they expected that the king of Syria would not intermeddle in the concerns of Europe. While they gave this answer to the Ambassador of Antiochus, they resolved, under pretence of treating with the king, to send commissioners, in their turn, to observe his motions.

The famous Scipio Africanus is mentioned by some historians as having been of this commission, and as having had some conversations with Hannibal, which are recorded to the honor of both. Livy, however, seems to reject these particulars as fabulous, while he admits that the apparent intimacy of Hannibal with the Roman commissioners, very much diminished the part which this formidable counsellor held in the confidence of the king²⁰.

At this time it became known that Antiochus was meditating the invasion of Italy as well as of Greece; that the first of these objects was to be committed to Hannibal, who undertook to prevail on the republic of Carthage to take a principal share in the war; and that, for this purpose, he had sent a proper person to concert measures with his

²⁰ Liv, lib. xxxv, c. 14.

party at Carthage; but the intrigue being discovered, the Carthaginians, in order to exculpate themselves, sent an account of it to Rome.

CHAP.
VI.

Before this intelligence had been received, the Roman commissioners were set out for Asia, and, according to their instructions, passed through Pergamus to consult with Eumenes the sovereign of that kingdom, who, having reason to dread the power of Antiochus, employed all his credit to engage the Romans in a war with that prince. They had an audience of the king of Syria at Apamea, and a conference afterwards, on the object of their commissions, with a principal officer of his court at Ephesus. This minister made no scruple to charge the Romans with the real designs of ambition, which they endeavoured to disguise under the pretence of procuring the liberties of Greece. “Your conduct,” he said, “where you are in condition to act without disguise, is a much better evidence of your intention, than any professions you may think proper to make in Greece or in Asia, where, by assuming a popular character, you have so many parties to reconcile to your interest. Are not the inhabitants of Naples and of Rhegium Greeks, as well as those of Lampacus and Smyrna? You are extremely desirous to set the Greeks at liberty from the dominion of Antiochus and Philip, but have no remorse in subjecting them to your own.”

The deputies of the cities whose interest was in question were present at these conferences, and each

B O O K

I.

pleaded the cause of his country, but without any other effect than that of convincing the parties concerned, that a war could not long be avoided. The Romans, alarmed by the intelligence received from Carthage during the dependance of this conference, had already begun to prepare for hostilities: and upon the report of their commissioners from Asia, still continued to augment their forces by sea and by land. Under pretence of repressing the violences committed by Nabis, they ordered one army into Greece, and stationed a second on the coast of Calabria and Apulia, in order to support the operations of the first.

The Romans had reason to consider the Etolians as enemies, and even to distrust the intentions of many of the republics lately restored to their liberty, who began to surmise, that, under the pretence of being relieved from the dominion of Philip, they were actually reduced to a state of dependance on Rome.

To obviate the difficulties which from these surmises might arise among the Grecian republics, the Roman Senate sent a fresh commission into that country, requiring those who were named in it to act under the direction of Flamininus, the late deliverer of Greece. These commissioners found the principal cities of that country variously affected: a general meeting of the States being called to receive them at Demetrias, they were, by some of the parties present at this meeting, reproached with a design, under pretence of restoring the Greeks to their liberties, of separating them from

every power that was fit to protect them ; and they were likewise reproached with a design of establishing their own tyranny , under pretence of opposing that of every other State.

This species of blasphemy , uttered against a power which the majority of those who were present affected to revere , raised a great ferment in the council ; and the persons who had thus ventured to insult the Romans being threatened with violence , were forced to withdraw from Demetrius , and to take refuge in Etolia. The remaining deputies of Greece endeavoured to pacify the Roman commissioners , or at least intreated them that they would not impute to so many different nations , what was no more than the frenzy of a few individuals.

The Etolians had already invited Antiochus to pass into Europe. The measure was accordingly under deliberation in the council of this prince. Hannibal warmly recommended the invasion of Italy as the most effectual blow that could be struck at the Romans. “ At home , ” he said , “ their
“ force is still composed of disjoint materials , which
“ will break into pieces when assailed by the im-
“ mediate touch of an enemy ; and the most ef-
“ fectual power that can be raised up against
“ them , is that which may be formed from the ruins
“ of their own empire. But if you allow them to
“ remain in quiet possession of Italy , and to stretch
“ out the arms of that country to a distance , their
“ resources are endless , and their strength irresist-
“ ible. ” He made an offer of himself for this ser-

BOOK
I.

vice, demanding a hundred gallies, ten thousand foot, and a thousand horse. With this armament he proposed to present himself on the coast of Africa, and, from what further reinforcements or supplies he could derive from Carthage, to effect his descent upon Italy.

These councils, however, were given in vain. Hannibal, as a person likely to reap all the glory of every service in which he bore any part, was become an object of jealousy to the court of Antiochus, and to the king himself. His advice being received with more aversion than respect, served to determine the king against every measure he proposed. "Such a monarch," it was said by the courtiers, "could not be under any necessity
"to employ foreign aid or direction: — his own
"force was sufficient to overcome the Romans in
"any part of the world: — the recovery of Greece
"must be the first object of his arms: — the people
"of that country, whenever his galleys appeared,
"would crowd to the shores to receive him: — the
"Etolians were already in arms for this purpose: —
"Nabis was impatient to recover the possessions of
"which he had been stripped by the Romans: —
"Philip must eagerly fly to his standard, and
"embrace every opportunity to revenge the in-
"dignities which had been lately put upon himself
"and his kingdom²¹."

U. C. 562. Flattered with these expectations, Antiochus set sail for Europe with ten thousand foot, some ele-

²¹ Liv. lib. xxxv. c. 18 & 42.

phants,

phants, and a body of horse. He was received at Demetrius with acclamations of joy; but soon after, in the sequel, came to understand that his allies in that country had sent for him to bear the burden of the war, and were devising how they should reap for themselves the advantages that might be made to arise from it.

The Etolians, at whose instance Antiochus had come into Greece, were still divided. One party among them contended for peace, and alleged that the presence of the king of Syria was a fortunate circumstance, as it might give them an opportunity to negotiate with greater advantage. Another party contended for immediate war; insisting that force alone could obtain any equitable terms from such a party as that they had to do with.

Flamininus was present in the assembly of Etolia when these debates took place relating to the resolution for peace or war with the Romans. He observed to the party who contended for war, that, before they proceeded to this extremity, they ought to have made their representations at Rome, and to have waited for an answer from thence. "We shall make our representations, and demand our answer," said a principal person in the assembly, still thinking of a descent upon Italy, to be effected by Hannibal, "perhaps where we are least expected, on the banks of the Tiber".

The resolution for war with the Romans was accordingly taken in this assembly, and Antiochus

²² Liv. lib. xxxv. c. 33.

BOOK
I.

was declared head of the confederacy to be formed for mutual support in the conduct of it. This prince endeavoured to obtain a declaration to the same effect from the Achæans and Beotians; but being disappointed in his application to those States, he left part of his forces at Demetrias, and he himself having negociated his admission at Chalcis on the Straits of Eubœa, retired, as if he had come to act upon the defensive, behind the Euripus, and established his court at that place for the winter.

Mean time the Romans prepared themselves as for a struggle of great difficulty, and probably of long duration²³. They considered the abilities of Hannibal, employed to conduct the forces of Asia, as a sufficient ground of alarm. Their first object was to guard Italy and their other possessions. An army of observation was for this purpose stationed at Tarentum. A numerous fleet was ordered to protect the coast. The Prætors and other officers of State, with proper forces under their command, had charge of the different districts of Italy that were suspected of inclining to the enemy, or of being disaffected to the commonwealth. The instructions given to these officers, were to observe what was passing in the several quarters to which they were sent, but to avoid every occasion of animosity or tumult that might open a way for the admission of an enemy, or show an invader where to direct his attack.

²³ Appian Syriacæ, p. 95.

Having made these dispositions for their own security, they proceeded to form an army which was to act offensively, and to fix the scene of the war in their enemy's country. Bæbius, a Prætor of the preceding year, under pretence of opposing Nabis, who had renewed the war in the Peloponnesus, had already passed into Epirus with a considerable force. Acilius Glabrio, one of the Consuls of the present year, to whose lot this province had fallen, was understood to have in charge the farther preparations that were making for a war in that country, and hastened the assembling of an army and fleet sufficient to disconcert the measures of the parties that were supposed to be forming against the Romans.

The usual tithes of corn were ordered from Sardinia, and double tithes from Sicily, to supply the army in Epirus. Commissaries likewise were sent to Carthage and Numidia, in order to purchase supplies from thence. And with such a sense of its importance did the Romans enter on this war, that the Consul Cornelius issued an edict, prohibiting all Senators, and all those who were entitled to be admitted into the Senate, to absent themselves from Rome above one day at a time, and requiring that no more than five Senators should on the same day be absent from the city.

The equipment of the fleet was retarded by a dispute that arose with eight of the maritime colonies or sea-ports, who pretended to a right of exemption from the present service. But their

BOOK
I.

plea, upon an appeal to the Tribunes, and a reference from them to the Senate, was over-ruled.

Antiochus passed the winter at Chalcis in a manner too common with princes of a mean capacity, who put every matter of personal caprice on the same footing with the affairs of state. Being enamoured of a Grecian beauty, he employed the attention of his court on feasts and processions, devised for her entertainment, and to enhance his pleasures. His reputation declined, and his forces made no progress either in numbers or discipline.

In the spring he lost some time in forming confederacies with petty States, which are ever under the necessity of declaring themselves for the prevailing power, and who change their side with the reverses of fortune. Having traversed the country from Beotia to Acarnania, negotiating treaties with such allies as these, he had passed into Thessaly, and had besieged Larissa, when the Roman Prætor began to advance from Epirus.

After the contending parties had thus taken the field, and the armies of Rome and of Syria were about to decide the superiority on the frontiers of Macedonia, Philip seemed to remain in suspense, having yet made no open declaration to which side he inclined. He had felt the arms of the Romans, and had reason to dread those of Antiochus.

The princes who divided the Macedonian empire were not only rivals in power, they were in some degree mutual pretenders to the thrones which they severally occupied; Philip, probably considering Antiochus, in this capacity, as the

principal object of his jealousy, took his resolution to declare for the Romans; and having accordingly joined the Prætor on the confines of Thessaly, their vanguard advanced to observe the position and motions of the enemy.

C H A P.
VI.

Antiochus, upon the junction of these forces, thought proper to raise the siege of Larissa. From this time forward he seemed to have dropped all his sanguine expectations of conquest in Europe, was contented to act on the defensive, and when the Roman Consul arrived in Epirus, and directed his march towards Thessaly, he took post at the Straits of Thermopylæ, intending to shut up this passage into Greece; but being dislodged from thence, his army was routed, the greater part of it perished in the flight, and he himself, with no more than five hundred men, escaped to Chalcis, his former retreat in Eubœa, from whence he soon after set sail for Asia.

Upon the flight of Antiochus, the Etolians alone remained in the predicament of open enemies to the Romans. They were yet extremely irresolute and distracted in their councils. After having brought the king of Syria into Europe, they had not supported him with a sufficient force; and now, upon his departure, being sensible of their danger from the Romans, a powerful enemy whom they had greatly provoked, they endeavoured to persuade the king to return, representing to him how much he was concerned to furnish that arrogant people with a sufficient occupation in Greece, to prevent their passing into Asia. They at the same

BOOK

1.

time made offers of pacification and of submission to the Romans, but were received in a manner, which gave them no hopes of being able to palliate the offence they had given. The consul advanced into their country, laid siege to Naupactus, and having reduced that place and the whole nation to great distress, agreed to a cessation of arms, only while they sent deputies to Rome to implore forgiveness and to make their peace with the Senate. Such was the posture of affairs when Lucius Cornelius Scipio, being elected one of the Consuls for the ensuing year, was destined to succeed Acilius Glabrio in Etolia; and, with his brother Publius, the victor in the battle of Zama, who was to act as second in command, had orders to prosecute the war against the kingdom of Syria.

These leaders being arrived in Greece, and intent on the removal of the war into Asia, willingly accepted of the submission of all the towns that had incurred any suspicion during the stay of Antiochus in Europe; and leaving the difference which remained to be settled with the Etolians in a state of negotiation, they proceeded without delay, by the route of Macedonia and Thrace, towards the Hellespont.

In passing through these countries, they were conducted and furnished with all the necessary supplies of provisions and carriages by Philip.

The fleets of Asia and Europe, during this march of the Roman army, contended for the command of the seas. That of Europe, which was joined by the navy of Rhodes, and even by

that of the Carthaginians, who, to vindicate themselves from any blame in the present war, had taken part with their rival, after various encounters, obtained the victory in a decisive battle, which made them entire masters of the sea, and opened all the ports of Asia to the shipping of the Romans.

The king of Syria had fortified Sestos and Abydos on the Hellespont, and Lyfimachia on the isthmus of Chersonesus, with an apparent resolution to dispute the march and passage of the Scipios at all these different stations. But on the total defeat of his navy, he either considered those places as lost, or, fearing to have his forces separately cut off in attempting to defend them, he withdrew his garrisons from Lyfimachia, Sestos, and Abydos; and while he thus opened the way for his enemies to reach him, gave other signs of despondency, or of a disposition to sink under adversity, making overtures of peace, and offering to yield every point which he had formerly disputed in the war. In reply to these offers he was told. That he must do a great deal more; that he must submit to such terms as the Romans were entitled to expect from victory. But as he continued to assemble his forces, he chose rather to stake his fortune on the decision of a battle; and having in vain endeavoured to make himself master of Pergamus, the capital of Eumenes, he fell back on Thyatira, and from thence proceeded to take post on the mountains of Sypilus, where he meant to contend for the empire of Asia.

BOOK

1.

In the mean time the Scipios advanced to the Hellespont, and without any resistance passed the Strait. This was the first time that any Roman army set foot on Asia; and being met by the deputies of the king with the overtures of peace that have been mentioned, sent accounts to Rome of their arrival; and made a halt for some days.

This descent was considered by the Romans as an epoch of great renown; and the messenger who brought the accounts of it was received with processions and solemn rites. Supplications and prayers were offered up to the gods, that this first landing of a Roman army in Asia might be prosperous for the commonwealth.

U. C. 562.

Publius Scipio, the famous antagonist of Hannibal, soon after his arrival in Asia, was taken ill; or, what may be supposed for his honor, being desirous not to rob his brother of any share in the glory which he perceived was to be easily won against the present enemy, he affected indisposition, and remained at a distance from the camp. Lucius, thus left alone to command the Roman army, advanced upon the king, attacked him in the post he had chosen, and, in a decisive victory, dispersed the splendid forces of Asia, with all their apparatus of armed chariots, horses, and elephants, harnessed with gold.

The king himself fled with a few attendants, passed through Sardis in the night, and continued his flight to Apamea in Pisidia, where he expected to be out of the reach of his pursuers.

Thyatira, Sardis, and Magnesia soon after opened

their gates to the Romans; and the king himself by a messenger from Apamea, again made haste to own himself vanquished, and to sue for peace. C H A P.
VI.

The Romans, to display a moderation which they frequently affected in the midst of their victories, renewed the same conditions which they had prescribed on their arrival in Asia; and a cessation of arms being granted, officers from Antiochus, and from all the other parties concerned in the approaching treaty, repaired to Rome, in order to receive the final decision of the Senate and People, on the future settlement of their affairs.

Eumenes, the king of Pergamus, on this occasion, attended in person, and, together with the republic of Rhodes, who had distinguished themselves by their zeal and faithful services in the late war, became the principal gainer in the treaty.

It was agreed by the Senate, that the preliminary articles already prescribed by the Consul should be confirmed:

That, according to these articles, Antiochus should resign all his pretensions in Europe, and contract the boundaries of his kingdom in Asia within the mountains of Taurus:

That he should pay to the Romans, at successive terms, five thousand talents to reimburse the expense of the war:

To Eumenes four hundred talents on the score of a debt that had been due to his father.

And, for the performance of these conditions, should give twenty hostages, such as the Romans should name.

266 THE PROGRESS AND TERMINATION

BOOK

I.

In the farther execution of this treaty, the Romans again appeared to be solicitous only for the interest of their allies, and required no more than indemnification for themselves. They appointed ten commissioners to repair into Asia, and there to determine the several questions that might arise relating to the settlement of that country. In the mean time they published to all parties the following instructions, as the basis on which the commissioners were to proceed:

That the preliminaries of the peace with Antiochus already offered should be ratified:

That all the provinces which he was to evacuate, except Caria and Lycia, were to be assigned to Eumenes:

That these provinces, bounded by the Meander on the east, should be given to the republic of Rhodes:

That all the Greek cities which had been tributary to Eumenes should continue so, and all which had been tributary to Antiochus should be set free ²⁴.

A settlement was accordingly soon after made in Asia in these terms; and the Romans, while they were hastening to universal dominion, appeared to have no object beyond the prosperity of their allies: they were merciful to the vanquished, and formidable only to those who presumed to resist their arms. In the midst of their conquests, they reserved nothing to themselves besides the power

²⁴ Polyb. *Excerptæ Legationes*, c. 35.

of giving away entire kingdoms and provinces; or, in other words, they reserved nothing but the power of seizing the whole at a proper time, and for the present, the supreme ascendant over all the conquered provinces that were given away, and over those who received them.

The Etolians were now the only parties in Greece who pretended to hold their liberties, or their possessions, by any other tenure than that of a grant from the Romans.

During the dependance of the war in Asia, the Etolians were making continual efforts to recover their own losses, and to preserve the city of Ambracia, then besieged by the Romans; but, upon the defeat of Antiochus, the Ambraciots surrendered at discretion, and the Etolians sued for peace.

Ambracia had been the capital of Pyrrhus, and now furnished the captor with a plentiful spoil of statues, pictures, and other ornaments to adorn his triumph. The Etolians, at the intercession of the Athenians, were allowed to hope for peace on the following terms²⁵.

That they should not allow to pass through their country the troops of any nation at war with the Romans:

That they should consider the allies of Rome as their allies, and the enemies of Rome as their enemies:

That they should make instant payment of two hundred talents in silver, the standard of Athens;

²⁵ Polyb. Excerptæ Legationes, c. 28.

B O O K and of three hundred more at separate instalments
1. within six years:

That if they chose to make these payments in gold rather than silver, the proportion should be one of gold to ten of silver; and that they should give hostages for the performance of these several articles ²⁶.

While the Etolians were on these terms concluding a peace, or rather obtaining a pardon, the Consul Manlius, who had succeeded the Scipios in Asia, willing, if possible, to bring back into Italy, together with the victorious legions, some pretence of a triumph for himself, led his army against the Galatians. These were the descendants of a barbarous horde, which had, some ages before, migrated from the north of Europe, visited Italy and Greece in their way, and stopped on the Halys in the Lesser Asia, where they made a settlement, round which they levied contributions quite to the shores of the Euxine, the Mediterranean, and Euxine Seas. Their forces had lately made a part in the army of Antiochus, and they had not yet acceded to the peace which that prince had accepted. By these means they furnished the Roman Consul with a pretence for invading their country; and being unable to resist him, submitted at discretion. In thus extinguishing the remains of every hostile combination, the Romans took care to satisfy the world that it never was safe to take part against them in any confederacy, and

²⁶ Polyb. *Excerptæ Legationes*, c. 28.

that, while they never abandoned any ally of their own, they were in condition to compel the powers, with whom they were at war, frequently to abandon theirs. C H A P. VI.

Thus ended the first expedition of the Romans into Asia; in the result of which, without seeming to enlarge their own dominions, they had greatly reduced the powers both of the Syrian and Macedonian monarchies; and by restoring, whether from inclination or policy, every State to its independence, they had balanced a multitude of parties against each other, in such a manner, as that no formidable combination was likely to be formed against themselves; or if any one, or a few parties, should presume to withstand their power, many others were ready to join in the cry of ingratitude, and to treat any opposition that was made to them as an unworthy return to those who had so generously espoused the cause of mankind.

The pacification of Asia and Greece left the republic at leisure to manage its ordinary quarrels with nations unsubdued on the opposite frontier. In the west, hostilities had subsisted without interruption, during the whole time that the State was intent on its wars in the East; and triumphal processions were exhibited by turns from those opposite quarters.

In Spain the commanders were, for the most part, annually relieved, and the army annually recruited from Italy. The variety of events which are mentioned, and the continuance of the war itself are sufficient to evince that no decisive victories

B O O K were obtained, or conquests finally made. On
I. the coast of Spain there were many Greek or African settlements established for commerce. Of these the Romans, either as having supplanted the Carthaginians, formerly their masters, or as having subdued the natives, were still in possession. But the interior parts of the country were occupied by many hordes, who appear to have been collected in townships and fortified stations, from which they assembled to oppose the Roman armies in the field, or in which they defended themselves with obstinate valor. Though often defeated, they still renewed the contest. Tiberius Sempronius Gracchus, in the year of Rome five hundred and seventy-four, about ten years after the peace with Antiochus, is said to have received the submission of one hundred and three towns of that country²⁷. The troubles of Spain were nevertheless, renewed under his successors, and continued to occupy the Roman arms with a repetition of similar operations, and a like variety of events.

The war in Liguria was nearly of the same description with that in Spain; continued still to occupy a certain part of the Roman force; and, both before and after the late expedition to Greece and Asia, was for some years the principal employment of both the Consuls. Here, however, the Romans made a more sensible progress towards an entire conquest than they made in Spain. They facilitated their access to

²⁷ Liv. lib. xl. c. 50. & passim.

the country by highways across the mountains; they reduced the numbers of the enemy by the sword and by the ordinary distresses of war; and, after the experience of many pretended submissions, and repeated revolts of that people, who seemed to derive the ferocity of their spirit, as well as the security of their possession, from the rugged and inaccessible nature of their country, it was determined to transplant the natives to some of the more accessible parts of Italy, where the lands, being waste from the effect of former wars, were still unoccupied and at the disposal of the republic²⁸.

²⁸ Liv. lib. xl. c. 38.

C H A P. VII.

State of Italy. — Character of the Roman policy. — Death of Scipio and of Hannibal. — Indulgence of the Romans to the King of Macedonia. — Complaints against Philip. — Succession of Perseus, and Origin of the War. — Action on the Peneus. — Overtures of Peace. — Progress of the War. — Defeat of Perseus at Pydna, by Paulus Emilius. — His flight and Captivity. — Settlement of Macedonia and Illyricum. — Manners of the Romans.

B O O K
I.

BY the methods above related the Romans proceeded to extend their dominion over all the districts around them, and either brought to their own standard, or disarmed, the several nations who had hitherto resisted their power. While they were about to accomplish this end, the Transalpine Gauls, still having their views directed to the southward of the mountains, made some attempts at migration into Italy, in one of which they settled a party of their people at Aquileia. The Romans were alarmed, and ordered these strangers to be dislodged and reconducted across the Alps.

This circumstance suggested the design of securing the frontier on that side by a colony; and
for

for this purpose a body of Latins was accordingly sent to Aquileia, a settlement which nearly completed the Roman establishments within the Alps. The country was now, in a great measure, occupied by colonies of Roman and Latin extraction, who, depending on Rome for protection, served, wherever they were settled, to carry the deepest impressions of her authority, and to keep the natives in a state of subjection to her government.

The domestic policy of the State, during this period, appears to have been orderly and wise beyond that of any other time. The distinction between Patrician and Plebeian was become altogether nominal. The descendants of those who had held the higher offices of state, were, in consequence of the preferments of their ancestors, considered as noble. Instead of a title of nobility, the son named his father and grandfather, who had been vested with public honors. And as the Plebeians now found no difficulty in obtaining the offices of State, they were continually opening the way of their posterity to the rank of Nobles. "Thus I," said Decius Mus, while he pleaded to have the priesthood¹, joined to the other honors which the different orders of the People enjoyed in common, "can cite my father in the rank of Consul; and "my son can cite both his grandfather and me²." The Plebeians were entitled by law to claim one of the Consul's seats, and frequently occupied both.

¹ Vid. B. i. c. 3.

² Liv. lib. x. c. 8.

BOOK
I.

The authority of the Senate, the dignity of the Equestrian Order, and the manners of the People in general, were guarded, and, in a great measure, preserved, by the integrity and strict exercise of the Censorial power. The wisest and the most respected of the citizens, from every condition, were raised into office; and the assemblies, whether of the Senate, or the People, without envy, and without jealousy, suffered themselves to be governed by the counsels of a few able and virtuous men. It is impossible otherwise to account for that splendor with which the affairs of this republic, from the time of the first Punic war to that of the last wars with Macedonia and Carthage, though committed to hands that were continually changing, were, nevertheless, uniformly and ably conducted.

The spirit of the People was in a high degree democratical; and though they suffered themselves to be governed by the silent influence of personal authority in a few of their citizens, yet could not endure any species of uncommon pre-eminence; even that which arose from the lustre and well-founded pretensions of distinguished merit.

The great Scipio, with his brother Lucius, on their return from Asia, encountered a prosecution, unworthily supported by a popular clamor; which brought them to trial on a formal charge of secreting part of the treasure received from Antiochus. It is likely, from the manner in which Publius Scipio disdained to answer this charge, that he carried his personal spirit too high for democratical

government, which can allow no private merit to come in competition with the rights of the people to sovereignty, and of individuals to equal attention in the State. At his first citation on the libel which was brought against him, seeming not to hear the person who accused him, he reminded the people, that this was the anniversary of that day on which they had gained the victory at Zama; and desired that they would follow him to the temples, in which he was to return thanks to the Gods for that important event. He was followed accordingly by the whole multitude, and the accuser for that time was deserted. At his second citation, he called for the paper of accounts, on which he had entered all the sums he had received in Asia; and, while the people expected, that he was to satisfy them by a state of particulars, he tore the scroll in their presence; and, taking the privilege of a Roman citizen, retired, without deigning to give any answer, and went as an exile into a country-village of Italy, where he soon after died.

The same year likewise terminated the life of his antagonist Hannibal. This great man, himself a sufficient object of jealousy to nations, was, by an article in the late treaty of peace with Antiochus, to have been delivered up to the Romans, and had, in order to avoid that danger, retired into Crete. From thence he took refuge with Prusias, king of Bythia, where the enmity of Rome still pursued him, and where an embassy was sent to demand that he should be delivered up. As soon as he knew that this demand was actually made,

BOOK

I.

and that the avenues to his dwelling were secured in order to seize him, he took poison, and died.

The Romans had been so well satisfied with the part which was taken by Philip in the late war with Antiochus, that they released his son Demetrius, then at Rome, an hostage for payment of the father's tribute, of which they likewise remitted a part. They even connived at his recovering some of his former possessions, and made no inquiry into the numbers of his troops, in which he greatly exceeded the establishment prescribed by the last treaty. They continued in this disposition during four years after the late peace with the king of Syria; and, in this interval, permitted the kingdom of Macedonia, by the improvement of its revenue, and the increase of its people, in a great measure to recover its former strength.

These circumstances of prosperity, however, did not fail to excite apprehension in the minds of all those who, holding independent possessions in that neighbourhood, were exposed to be the first victims of this reviving power; and representations, to awaken the attention of the Romans on this subject, were accordingly made at Rome, from Eumenes, the king of Pergamus, and from all the petty princes and small communities on the frontier of Macedonia.

On receiving these admonitions, the Senate, in their usual form, sent to the country from whence they were alarmed a select number of their members to make inquiry into the real state of affairs. Before a tribunal thus constituted, the king of

Macedonia was cited to appear as a private party, first at Tempe, to answer the charge of the Thessalians, and afterwards at Thessalonica, to answer that of Eumenes. After a discussion, sufficiently humbling to a sovereign, he received sentence, by which he was required to evacuate all the places he had occupied beyond the ancient limits of his kingdom. This sentence he received with indignation and resentment, which were too unguardedly expressed, and which rendered him from thenceforward an object of continual attention and of jealousy to the Romans. C H A P.
VII.

A second commission was granted to see the sentence of the first put in execution; and as soon as it became publicly known, that the Romans were willing to receive complaints against Philip, and were disposed to protect every person who incurred his displeasure, ambassadors from the princes of Asia, and persons of every condition, from all the cities of Greece, and from all the districts in the neighbourhood of Macedonia, resorted to Rome with complaints against the king, some of a private, and others of a public nature. The city was crowded with strangers, and the Senate was occupied, from morning to night, in hearing the representations that were made by their allies on the subject of the usurpations and oppressions they had suffered.

Philip, to divert the storm, had sent his younger son, Demetrius, to answer the several charges which were expected to be brought against him; and, in the end, obtained a resolution of the Se-

B O O K

I.

nate to accommodate matters on an amicable footing. This resolution was grounded on pretence of the favor which the Romans bore to Demetrius, who had long resided as an hostage in their city. "The king will please to know," they said, "that he has done one thing extremely agreeable to the Romans, in trusting his cause to an advocate so well established in their esteem and regard³."

This language of the Roman Senate respecting Demetrius, together with dangerous suggestions from some of his own confidants, probably inspired the young man with thoughts, or rendered him suspected of designs, injurious to the rights of Perseus, his elder brother. This prince took the alarm, and never ceased to excite the suspicions already formed in the breast of the father, until he prevailed in securing his own succession by the death of his younger brother⁴.

Philip, having ordered the execution of one son to gratify the jealousy of the other, lived about three years after this action, suffering part of the punishment that was due to him on that account, in the most gloomy apprehensions of danger from his surviving son, and died in great solicitude for the fate of his kingdom.

Perseus, nevertheless, in ascending the throne of Macedonia, gave hopes of a better and happier reign than that of his predecessor. He was imme-

³ Polyb. Excerpt. Legat. c. 46. Liv. lib. xxxix. 46—47.

⁴ Liv. lib. xl. c. 24.

diately acknowledged by the Romans; and, during a few years after his accession, appeared to have no cause of disquietude from this people. Although he had adopted the measures of his father, and endeavoured, by attention to his revenue, his army, and magazines; and by forming alliances with some of the warlike Thracian hordes in his neighbourhood, to put his kingdom in a posture of defence, and in condition to assert its independence; yet he appears to have excited less jealousy in the minds of his neighbours. The progress which he made seems to have escaped the attention of the Romans; until, at last awakened by the report of a secret correspondence which he carried on with the republic of Carthage, they thought proper to send a deputation into Macedonia, in order to observe his motions.

By the deputies employed in this service, the Romans obtained intelligence, that Perseus had made advances to the Achæans as well as to the Carthaginians, and to other states; and was likely to form a powerful party among the Greeks.

From this time forward the leaders of the Roman councils seemed to have taken a resolution to remove this subject of jealousy, and to suppress the Macedonian monarchy. They renewed their attention to the state of parties in Greece, and endeavoured to reconcile all the differences that might incline any of those republics to oppose them in the execution of their design. They encouraged the king of Pergamus, who afterwards appears to have repented of the part which he took in that

BOOK I. matter, to state his complaints. They brought him to Rome in person, and cited him before the Senate to give a complete detail of the circumstances that were alarming in the policy of Perseus. Eumenes, having been thus brought forward as a formal accuser, and being to return through Greece, in order to offer his devotions at the temple of Delphi, was assaulted and wounded by a party who meant to assassinate him; and this design, with some other acts of violence, being imputed to Perseus, served as a pretence for the war which followed.

The Roman Senate had already granted two separate commissions, the one of a deputation to visit Macedonia, and to observe the motions of Perseus; the other of an embassy into Egypt, to confirm their alliance with Ptolomy. On hearing of the attempt that had been made to assassinate Eumenes, they directed one of the Prætors, Caius Sicinius, with a proper force to pass into Epirus; and in order to secure their access into that country, to take possession of Apollonia, and other towns on the coast. But a misunderstanding then subsisting between the Consuls, and other principal men of the Senate, caused some obstruction in the farther immediate prosecution of the war.

Perseus however, alarmed by the arrival of a Roman force in his neighbourhood, sent an embassy to Rome with expostulations on the subject, and with offers, by every reasonable concession that the Senate or the People could require, to avert the storm which threatened him. But the Romans,

affecting resentment of the injuries they pretended to have received, ordered his ambassadors, without delay, to depart from Italy; and give intimation, that, if for the future he should have any thing to offer, he might have recourse to the commander of the Roman army in Epirus.

The interview, which Perseus soon after had with the Roman commissioners, terminated with the strongest signs of hostility on both sides^{*}. The king, however, having taken minutes of what passed at their conference, sent copies to all the neighbouring states, in order to exculpate himself from any guilt in the approaching war; and as the event afterwards showed how much it was the interest of every state to support him, he being the only power that could give them any protection against the Romans; so numbers, already moved by this apprehension, were inclined to favor his cause. The Rhodians, then a formidable naval power, though restrained by fear from an open breach with the Romans, yet gave sufficient evidence of this disposition. Eumenes likewise, though a principal instrument in fomenting the present quarrel, soon became averse to its consequences. The Beotians and Epirots, as well as the Illyrians, openly declared for the king of Macedonia[†].

These circumstances were stated at Rome as additional grounds of complaint against the king;

^{*} Liv. lib. lxii. c. 25.

[†] Polyb. Excerptæ Legationes, c. 64—67.

BOOK and his endeavours to vindicate the part he had acted, were considered as attempts to form a hostile confederacy against the republic.

I.

Additional fleets and armies were accordingly assembled, and directed towards Epirus; and a declaration of war was issued in the form of an act of the Roman people.

The Romans had now, during about twenty-five years, borne a principal part among the nations that surrounded the Mediterranean sea. The ascendant they had gained in all their wars or treaties, had made them common objects of fear or respect to all the contiguous powers of Europe, Asia, and Africa. The Macedonians, however, as the latest conquerors of the world, still retained a very high reputation for military skill and valor. The events of the late war rather surprised mankind, than convinced them of any decided superiority on the part of the Roman arms. The novelty of a new enemy, the mistakes or misconduct of the late king, might have accounted for his ill success. The kingdom had now been above twenty years exempted from any signal calamity, had re-established its armies, and filled its magazines and its coffers. The military establishment amounted to forty thousand men; the greater part formed and disciplined upon the plan of the phalanx, and supported with numerous troops of irregulars from the warlike cantons of Thrace. The king himself, in the vigor of manhood, sensible that the storm could not be diverted, affected rather to desire than to decline the contest; and under all these

circumstances, nations seemingly least interested in the consequences were intent on the scene that was about to be opened before them.

Eumenes, supposed to be incited by inveterate animosity to Perseus, and by recent provocations, prepared to fulfil his professions in behalf of the Romans.

Ariarathes, the king of Cappadocia, equally inclined by policy to wish for a counterpoise to the Macedonian power, but having recently formed an alliance by marriage with the family of Perseus, determined to be neutral in the war.

Ptolomy Philomater, who then filled the throne of Egypt, was a minor. Antiochus Epiphanes, who had lately succeeded his brother Seleucus, in the kingdom of Syria, having been some time an hostage at Rome, affected in his own court the manners of a Roman demagogue; but was chiefly intent on his pretensions to Cælesyria, which he hoped to make good under favor of the approaching conjuncture formed by the minority of Ptolomy, and by the avocation of the Roman forces in Greece.

The Carthaginians, and the king of Numidia, while they severally preferred their complaints against each other before the Roman Senate, vied likewise in their professions of zeal for the Roman republic, and in their offers of supply of men, horses, provisions, or ships.

Gentius, the king of Illyricum, had incurred the jealousy of the Romans; but remained undetermined what part he should take.

BOOK

I.

Cotys, a Thracian king, declared openly for Perseus. The people of Greece, in their several republics were divided among themselves. The popular parties in general, being desirous to exchange the government of their own aristocracies for that of a monarchy, favored the king of Macedonia. The leading men were either inclined to the Romans, or wished to balance the rival powers, so as to have, in the protection of the one, some security against the usurpations of the other².

The Romans had committed an error by sending a small force into Epirus, which the king of Macedonia might have cut off before it could be properly supported from Italy; but their commissioners then in that country, had the address to amuse the king with a negociation, and to divert him, during the first year of the war, from any attempt on Apollonia, or on any other station then in possession of the Roman troops.

In the following summer, about seven years after the accession of Perseus to the throne of Macedonia, the war in that kingdom being committed to the Consul Licinius, this general followed the army which had been transported to the coast of Epirus; and while the Roman fleet, with their allies, assembled in the straits of Eubœa, the armies on both sides began their operations. The Macedonians encamped at Sycurium on the declivity of mount Offa. The Roman Consul penetrated

² Liv. lib. xlii. c. 29—30.

into Thessaly; and, having passed the river Peneus, took post at Scea, twelve miles from the camp of the enemy. Here he was joined by Attalus, brother to the king of Pergamus, with four thousand men, and by smaller bodies collected from different states of Greece.

Perseus endeavoured to lay waste the kingdom of Pheræ, from which the Romans drew the greatest part of their subsistence; and an action ensued, in which the whole cavalry and light infantry of both armies being engaged, the Romans were defeated; and the Consul, no longer able to support his foraging parties on that side of the Peneus against a superior enemy, decamped in the night, and repassed the river.

Although this victory had a tendency to raise the hopes of the king, it was by him wisely considered as a fit opportunity to renew the overtures of peace; and, in order to bring on a negociation it was resolved, that the conditions which, under the misfortune of repeated defeats, had been offered by his father, should be made the preliminaries of the present treaty.

It appeared to the king, and to those with whom he consulted, that, in the sequel of a victory, this would appear an act of moderation, not of fear; that all neutral powers, who dreaded the consequences of a decided superiority on either side, would favor the person who should propose to have peace re-established on moderate terms; and that the Romans, being induced to terminate the war under the effects of a defeat, would from

BOOK thenceforward respect the Macedonian monarchy,
I. and be cautious how they disturbed its tranquillity.

But if in this manner the opportunity was perceived, and wisely laid hold of by the councils of Perseus, it by no means escaped the Roman council of war, which was assembled to receive the proposals of the king.

The Romans, whether from national spirit or policy, at all times declined entering on negotiations or treaties in consequence of defeats. They spurned the advances of a victorious enemy, while they received those of the vanquished with condescension and mildness. They accordingly, in the present case, treated the concessions of Perseus with disdain, haughtily answering, that he must submit at discretion⁸.

This reply was received at the court of Perseus with extreme surprise. But it produced still farther concessions; and instead of resentment from the king, a repetition of his message with an offer to augment the tribute which had been paid by his father⁹.

The remainder of the summer having passed in the operations of foraging parties, without any considerable action, the Romans retired for the winter into Beotia. On this coast the fleet, having met with no enemy at sea, had made repeated

⁸ In adversis vultum secundæ fortunæ gerere, moderari animos in secundis. Liv. lib. xlii. c. 2. 6

⁹ Polyb. Excerpt. Legat. c. 69.

descents to distress the inhabitants who had declared for the king. The consul took possession of his quarters, without any resistance, in the interior parts of the country, and in this, with the progress that was made by the army employed on the side of Illyricum in detaching that nation from Perseus, consisted the service of the first campaign.

Licinius, at the expiration of the usual term, was relieved by his successor in office, A. Hostilius Marcius. This commander, being defeated and baffled in some attempts he made to penetrate into the kingdom of Macedonia, appears to have made a campaign still less fortunate than that of his predecessor; and the Senate, at the end of the summer, having ordered him home to preside at the annual elections, sent a deputation to visit the army, and to inquire into the cause of their miscarriages, and the slowness of their progress.

The Romans, although they had experienced disappointments in the beginning of other wars, particularly in their first encounters with Pyrrhus and with Hannibal; and had reason to expect a similar effect in the opening of the present war, appear to have been greatly mortified and surprised at this unpromising aspect of their enterprise. They were engaged with an enemy renowned for discipline, who had made war a trade, and the use of arms a profession; while they themselves, it appears, for a considerable period after the present war, even during the most rapid progress of their arms, had no military establishment besides

BOOK 1. that of their civil and political constitution, no soldiers besides their citizens, and no officers but the ordinary magistrates of the commonwealth.

If this establishment had its advantages ¹⁰, it may have appeared, on particular occasions, likewise to have had its defects. The citizen may have been too much a master in his civil capacity to subject himself fully to the bondage of a soldier; and too absolute in his capacity of military officer to bear with the control of political regulations. As the obligation to serve in the legions was general and without exception, many a citizen, at least in the case of any distant or unpromising service, would endeavour to shun his duty. And the officer would not always dare to enforce disagreeable duty on those by whom he himself was elected, or on whom he in part depended for farther advancement.

At the beginning of this war, the legions were augmented from five thousand two hundred foot and two hundred horse, to six thousand foot and three hundred horse ¹¹; and probably, to raise the authority of the Consul more effectually into that of a commander in chief, he was commissioned to name the Tribunes, as well as the Centurions of the army, that were to serve under his orders: but, upon a complaint that this extension of the Consul's powers did not, by enforcing the discipline of the army, serve the purpose for which it

¹⁰ Vid. B. i. c. 3.

¹¹ Liv. lib. xliii. c. 12.

was made, the people resumed their right of election in the appointment even of inferior officers. The deputies now sent into Macedonia by the Senate reported, that the legions employed in that country were extremely incomplete, numbers both of the lower officers and private men being, by the dangerous indulgence of their leaders, suffered to absent themselves from their colors¹². This abuse we may apprehend to have been frequent in a service that was to be performed by citizens who had the choice of their own commanders. And from speculative ideas on the subject, if we were not bound to be governed by experience as the preferable tutor, we should be apt to reject, as an improper mode of forming armies, that establishment by which the Romans conquered the world.

It is probable, that not only the defect of subordination in the beginning of every war, but that of skill, likewise, in the use of their peculiar weapons, made, in the Roman armies, a great disparity between raw and veteran troops.

The use of the buckler and sword required great skill, agility, and muscular strength; all of them the effect of exercise and of continued practice.

The experience of the soldier who survived many actions tended to confirm his courage because his escape was in a great measure the effect of his skill, or of his strength; and upon

¹² Liv. lib. xliiii. c. 11.

BOOK

I.

a return of similar dangers, gave him confidence in himself.

In battles the strong and the skilful escaped; the weak and the awkward were likely to perish; and every action not only exercised the arms of those that survived, but made a selection of the vigorous and skilful to be reserved for future occasions.

Hence probably, in the Roman armies, much more than in those of modern Europe, the practised soldier had a great superiority over the novice; and citizens, when brought into the field by rotation, had much to learn in the course of every campaign.

In the present contest, the checks of the first and the second year of the war, though extremely mortifying to the Romans, were received without any signs of irresolution, or change of their purpose. In the third year after hostilities commenced, the command of the army in Macedonia devolved on Q. Marcius Philippus, who, being chosen one of the Consuls, drew his province as usual by lot. This officer had been employed in one of the late deputations that were sent into Greece; had shown his ability in the course of negotiations which preceded the war; and now, by his conduct as a general, broke through the line with which the king had endeavoured to secure the passes of the mountains, and to cover the frontier of his kingdom. But, when he had penetrated into Macedonia, he found himself at the end of the season, and for want of proper supplies of provisions on that side

of the mountains, unable to pursue the advantage he had gained. Here, therefore, he staid only to deliver his army to Emilius Paullus, who had been named to succeed him. This was the son of that Paullus, who, being one of the Consuls who commanded the Roman army at Cannæ, threw away his life rather than survive that defeat. The son was now turned of sixty¹; and by the length of his service, and the variety of his experience in Liguria and Spain, was well acquainted with the chances of war.

Emilius Paullus, upon his election, in order that he might not be liable to answer for the faults of his predecessors, moved, that deputies should be sent into Macedonia to review the army, and to make a report of its state before he entered upon the command. His speech to the People, when about to depart for his province, carries a striking allusion to the petulant freedom with which, it seems, unsuccessful commanders were censured, or traduced in the popular conversations at Rome, and carries a defiance with which he proposed to silence the blame that might afterwards be cast on himself. “ Let such as think themselves qualified to advise the general,” he said, “ now accompany me into Macedonia. They shall have a passage on board my ship; and, in the field, be welcome to a place in my tent and at my table; but if they now decline this offer, let them not afterwards pretend to judge of what they neither see nor

¹ Plutarch. in Vit. Emil. p. 157.

BOOK "understand. Nor let them set up their own
I. "opinion against that of a fellow-citizen, who is
 "serving the public to the utmost of his ability,
 "and at the hazard of his life and of his honors."

Emilius, upon his arrival in Macedonia, found the king intrenched on the banks of the Enipeus, with his right and left covered by mountains, on which all the passes were secured. After some delay, during which he was employed in observing the enemy's disposition, or in improving the discipline of his own army, he sent a detachment to dispossess the Macedonians of one of the stations which they occupied on the heights, with orders to the officer who commanded in this service, that, if he succeeded in it, he should fall down on the plain in the rear of the enemy; he himself, in the mean time, made a feint to attack them in front.

The post on the heights being forced, Perseus relinquished his present disposition, and fell back towards Pydna on the banks of the Aliacmon. Here it became necessary for him either to hazard a battle, or, on account of the nature of the country behind him, to separate his forces.

He preferred the first, and made choice of a plain that was fit to receive the phalanx, and was skirted with hills, on which his light troops could act with advantage.

Here too the Roman consul continued to press upon him, and was inclined to seize the first opportunity of deciding the war. Both armies, as by appointment, presented themselves on the plain in

order of battle, and Emilius Paullus seemed eager to engage; but, as he himself used to confess, having never beheld an appearance so formidable as when the Macedonians levelled their spears, he thought proper to halt¹⁴. Though much disconcerted, he endeavoured to preserve his countenance, would not recede from his ground; and that he might encamp his army where they now stood, ordered the first line to remain under arms, and ready to attack the enemy, while those who were behind them began to intrench; having in this manner cast up a breast-work of considerable strength, he retired behind it, and under that cover completed the fortifications of a camp in the usual form.

In this position he waited for an opportunity to draw on an engagement, when the enemy should be less prepared to receive him, or not have time to avail themselves so much of that formidable order which constituted the strength of the phalanx.

This occasion soon afterwards seemed to be offered by a skirmish which happened in the fields between the two armies. A horse, having broke loose from the camp of the Romans, fled towards that of the Macedonians, was followed by the soldiers from whom he escaped, and met by their enemy from the opposite camp. These parties engaged, and each being joined by numbers from their respective armies, brought on at last a general action. The ground was favorable to the phalanx;

¹⁴ Polyb. Fragment. vol. iii. p. 243.

B O O K

I,

and the Macedonians, though hastily formed, still possessed against the Romans the advantage of their weapons, and of their formidable order. They filled up the plain in front, and could not be flanked. They had only to maintain their ground, and had no occasion to discompose their ranks, in time of the action, by any change of position. They accordingly withstood with ease the first shock of the Roman legions; but were broken and disjointed in the sequel by the seemingly irregular attacks which were made at intervals by the maniples, or the separate divisions of the Roman foot. The parts of the phalanx that were attacked, whether they were pressed in, or came forward to press on their enemy, could not keep in an exact line with the parts that were not attacked. Openings were made, at which the Roman soldier, with his buckler and short sword, could easily enter. Emilius, observing this advantage, directed his attack on those places at which the front of the phalanx was broken; and the legionary soldier, having got within the point of his antagonist's spear, pierced to the heart of the column, and in this position made a havock which soon threw the whole into disorder and general rout¹⁵.

Twenty thousand of the Macedonians were killed in the field, five thousand were made prisoners in their flight; and six thousand that shut themselves up in the town of Pydna were obliged to surrender at discretion.¹⁶

¹⁵ Plutarch in Vit. Emil. p. 173.

¹⁶ Liv. lib. xlv. c. 42.

After this defeat, the king of Macedonia, with a few attendants, fled to Pella, where, having taken up his children and the remains of his treasure, amounting to ten thousand talents, or about two millions of pounds sterling¹⁷, he continued his flight to Amphipolis, and from thence to Samothracia, where he took refuge in the famous sanctuary of that island.

Emilius pushed on to Amphipolis, receiving the submission of all the towns and districts as he passed. The Prætor, Octavius, then commanding the Roman fleet, beset the island of Samothracia with his ships; and, without violating the sanctuary, took measures that effectually prevented the king's escape.

This unfortunate prince, with some of his children, delivered themselves up to the Prætor, and were conducted to the camp of Emilius. The king threw himself on the ground, and would have embraced the victor's knees, when the Roman general, with a condescension that is extolled by ancient historians, gave him his hand, and raised him from the ground, but reproached him as the aggressor in the late contest with the Romans; and with a lesson of morality, which tore up the wounds of the unfortunate monarch, bid the young men who were present look on this object as an example of the instability of fortune, and of the vicissitude of human affairs.

While the war in Macedonia was coming to

¹⁷ Justin. lib. xxxiii. c. i.

BOOK
I.

this issue, that in Illyricum had a like termination, and ended about the same time in the captivity of the king.

News of both were received at Rome about the same time, and filled the temples, as usual, with multitudes who crowded to perform the public rites of thanksgiving that were ordered by the Senate. Soon after which, embassies arrived from all the kings and states of the then known world, with addresses of congratulation on so great an event. The Senate proceeded to form a plan for the settlement of Macedonia.

It was resolved to extinguish the monarchy, to divide its territory into four districts, and in each to establish a republican government, administered by councils and magistrates chosen by the People. This, among the Greeks, could bear the interpretation of bestowing absolute liberty. Ten commissions were named to carry this plan into execution in Macedonia, and five were appointed for a similar purpose in Illyricum. Emilius was continued in his command; and the army ordered to remain in Macedonia until the settlement of the province should be completed.

The Commissioners, agreeably to their instructions, fixed the limits of the several districts, and, probably to perpetuate the separation of them, or to prevent any dangerous communication between their inhabitants, prohibited them to intermarry, or to hold any commerce in the property of land, from one division to another.

To some other restrictions, which had more a

tendency to weaken or to dismember this once powerful monarchy, than to confer freedom on the people, they joined an act of favor, in considerably diminishing their former burdens, reducing their tribute to one half of what they had usually paid to their own kings; and, to facilitate or to secure the reception of the republican form which was devised for them, they ordered all the ancient nobles, and all the retainers of the late court, as being irreconcilable with the equality of citizens under a republic, to depart from the kingdom, and to chuse places of residence for themselves in Italy.

A like plan was followed with respect to Illyricum, which was divided into three districts; and the kings both of Macedonia and of this country, with many other captives, were conducted to Rome to adorn the triumph of their conquerors.

Perseus is said to have lived as a prisoner at Alba, about four years after he had been exhibited in this procession. Alexander, one of his sons, had an education calculated merely to procure him subsistence, and was afterwards, as a scribe or a clerk, employed in some of the public offices at Rome.

While the event of the Macedonian war was yet undecided, and no considerable advantage, either of conduct or fortune, appeared on the side of the Romans, they still preserved the usual arrogance of their manner, and interposed with the same imperious ascendant in the affairs of Greece, Asia, and Africa, that they could have

298 THE PROGRESS AND TERMINATION

BOOK done in consequence of the most decisive victory.

I. It was at this time that, by the celebrated message of Popilius Lænas, they put a stop to the conquests of Antiochus Epiphanes in Egypt. This prince, trusting to the full employment with which the Roman forces were engaged, had ventured to invade this kingdom, and was in possession of every part of it, except the city of Alexandria. He was occupied in the siege of this place when Popilius arrived and delivered him an order of the Senate to desist. The king made answer, That he would consider of it. "Determine before you pass this line," said the Roman, tracing a circle with the rod which he held in his hand. This people, however, had occasion, during the dependance of the Macedonian war, to observe that few of their allies were willing to support them in the extremes to which they seemed to be inclined. The Epirots had actually declared for the king of Macedonia. The Rhodians had offered their mediation to negotiate a peace, and threatened hostility against either of the parties who should refuse to accept of it. Even Eumenes was suspected of having entered into a secret concert with Perseus, although the fall of that prince prevented any open effects of their treaty.

The Romans, nevertheless, disguised their resentment of these several provocations, until their principal enemy, the king of Macedonia, was subdued; after they had accomplished this end, they proceeded against every other party, with a severity which was then supposed to be

permitted in the law of nations, and no more than proportioned to their supposed offence. They gave orders to Emilius, in passing through Epirus, to lay that country under military execution. Seventy towns were accordingly destroyed, and a hundred and fifty thousand of the people sold for slaves.

The Senate refused to admit the ambassadors of Rhodes, who came to congratulate the Roman people on their victory at Pydna. They stripped those islanders of the provinces which had been granted to them on the continent by the late treaty with Antiochus, and ordered them to discontinue some duties levied from ships in passing through their sound, which made a considerable part of their revenue.

While Eumenes was coming in person to pay his court to the Senate, they resolved to forbid the concourse of kings to Rome. Their meaning, though expressed in general terms, was evidently levelled at this prince; and they ordered, that when he should arrive at Brundisium, their resolution should be intimated to him, to prevent his nearer approach.

They in reality, from this time forward, though in the style of allies, treated the Grecian republics as subjects.

Such was the rank which the Romans assumed among nations; while their statesmen still retained much of their primeval rusticity, and did not consider the distinctions of fortune and equipage as the appurtenances of power or of high command. Cato, though a citizen of the highest rank, and

BOOK

I.

vested successively with the dignities of Consul and of Cenfor, used to partake in the labor of his own slaves, and to feed with them from the same dish at their meals¹⁸. When he commanded the armies of the republic, the daily allowance of his household was no more than three medimni, or about as many bushels of wheat for his family, and half a medimnus, or half a bushel of barley for his horses. In surveying his province he usually travelled on foot, attended by a single slave who carried his baggage¹⁹.

These particulars are mentioned perhaps as peculiar to Cato; but such singularities in the manners of a person placed so high among the people, carry some general intimation of the fashion of the times.

A spirit of equality yet reigned among the members of the commonwealth, which rejected the distinctions of fortune, and checked the admiration of private wealth. In all military donations the Centurion had no more than double the allowance of a private foldier, and no military rank was indelible. The Consul and commander in chief of one year served not only in the ranks, but even as a Tribune or inferior officer in the next; and the same person who had displayed the genius and ability of the general, still valued himself on the courage and address of a legionary foldier.

¹⁸ Plutarch in Vit. Catonis, p. 330.

¹⁹ Ibid. p. 335 & 338.

No one was raised above the glory to be reaped from the exertion of mere personal courage and bodily strength. Persons of the highest condition sent or accepted a defiance to fight in single combat, in presence of the armies to which they belonged. Marcus Servilius, a person of consular rank, in order to enhance the authority with which he spoke when he pleaded for the triumph of Paulus Emilius, informed the People that he himself, full three-and-twenty times, had fought singly with so many champions of the enemy, and that in each of these encounters he had slain and stripped his antagonist. A combat of the same kind was afterwards fought by the younger Scipio, when serving in Spain.

The sumptuary laws of this age were suited to the idea of citizens who were determined to contribute their utmost to the grandeur of the State; but to forego the means of luxury or personal distinction. Roman ladies were restrained, except in religious processions, from the use of carriages any where within the city, or at the distance of less than a mile from its walls; and yet the space over which they were to preserve their communications extended to a circuit of fourteen miles, and began to be so much crowded with buildings or cottages, that, even before the reduction of Macedonia, it was become necessary to restrain private persons from encroaching on the streets, squares, and other spaces reserved for public conveniency. In a place of this magnitude, and so stocked with inhabitants, the female sex

BOOK I. was also forbid the use of variegated or party-colored clothes, or of more than half an ounce of gold in the ornament of their persons. This law being repealed, contrary to the sentiments of Cato, this citizen, when he came, in the capacity of Cenfor, to take account of the equipages, clothes, and jewels of the women, taxed each of them tenfold for whatever was found in her wardrobe exceeding the value of one thousand five hundred denarii, or about fifty pounds sterling²⁰.

The attention of the legislature was carried into the detail of entertainments or feasts. In one act the number of the guests, and in a subsequent one the expense of their meals, were limited. By the Lex Tribonia, enacted about twenty years after the reduction of Macedonia, a citizen was allowed on certain high festivals, to expend three hundred asses, or about twenty shillings sterling; on other festivals of less note, one hundred asses, or about six shillings and eight pence; but during the remainder of the year, no more than ten asses, or about eight pence; and was not allowed to serve up more than one fowl, and this with a proviso that it should not be crammed or fatted²¹.

Superstition made a principal article in the character of the people. It subjected them continually to be occupied or alarmed with prodigies and ominous appearances, of which they endeavoured to avert the effects by rites and expiations, as

²⁰ Liv. lib. xxxiv. c. 1—6.

²¹ Plin. lib. x. c. 50.

strange and irrational as the presages on which they had grounded their fears. Great part of their time was accordingly taken up with processions and public shows, and much of their substance, even to the whole annual produce of their herds²², was occasionally expended in sacrifices, or in the performance of public vows. The first officers of State, in their functions of the priesthood, performed the part of the cook and the butcher; and, while the Senate was deliberating on questions of great moment, examined the entrails of a victim, in order to know what the gods had determined. "You must desist," said the Consul Cornelius, entering the Senate with a countenance pale and marked with astonishment; "I myself have visited the boiler, and the head of the liver is consumed²³."

According to the opinions entertained in those times, forcery was a principal expedient employed by those who had secret designs on the life of their neighbour. It was supposed to make a part in the statutory crime of poisoning; and the same imagination which admitted the charge of forcery as credible, was, in particular instances, when any person was accused, easily convinced of his guilt; insomuch that some thousands were at times convicted together of this imaginary crime²⁴.

²² The Ver Sacrum was a general sacrifice of all the young of their herds for a whole year.

²³ Liv. lib. xli. c. 15.

²⁴ Ibid. lib. xxxix. c. 41.

BOOK

I.

The manners of the people of Italy were at times subject to strange disorders, or the magistrate gave credit to wild and improbable reports. The story of the Bacchanals, dated in the year of Rome five hundred and sixty-six, or about twenty years before the conquest of Macedonia, may be considered as an instance of one or the other²⁵. A society, under the name of Bacchanals, had been instituted, on the suggestion of a Greek pretender to divination. The desire of being admitted into this society prevailed throughout Italy, and the sect became extremely numerous. As they commonly met in the night, they were said at certain hours to extinguish their lights, and to indulge themselves in every practice of horror, rape, incest, and murder; crimes under which no sect or fraternity could possibly subsist, but which, in being imputed to numbers in this credulous age, gave occasion to a severe inquiry, and proved fatal to many persons at Rome, and throughout Italy.

The extreme superstition, however, of those times, in some of its effects, vied with genuine religion; and, by the regard it inspired, more especially for the obligation of oaths, became a principle of public order and of public duty, and in many instances superseded the use of penal or compulsory laws²⁶.

When the citizen swore that he would obey the call of the magistrate to enlist in the legions;

²⁵ Liv. lib. xxxix. c. 8. & sequent.

²⁶ Venificium.

when

when the foldier fwore that he would not desert his colors, difobey his commander, or fly from his enemy; when a citizen, at the call of the Cenfor, reported on oath the amount of his effects; the State, in all thofe instances, with perfect confidence relied on the good faith of her fubjects, and was not deceived.

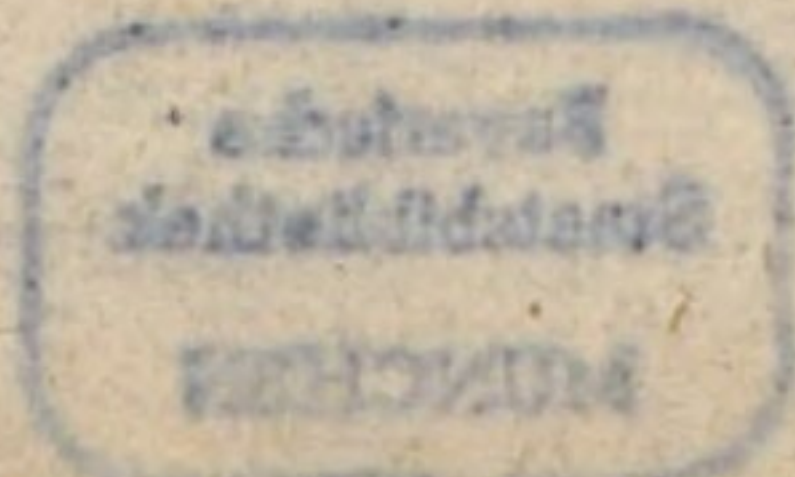
In the period to which thefe obfervations refer, that is, in the fixth century of the Roman State, the firft dawning of literature began to appear. It has been mentioned that a cuftom prevailed among the primitive Romans, as among other rude nations, at their feafts to fing or rehearfe heroic ballads which recorded their own deeds or thofe of their ancestors²⁶. This practice had been fome time difcontinued, and the compositions themfelves were loft. They were fucceeded by pretended monuments of hiftory equally fallacious, the orations which, having been pronounced at funerals, were, like titles of honor, preferved in the archives of every noble houfe, but which were rather calculated to flatter the vanity of families, than to record the truth²⁷.

The Romans owed the earlieft compilations of their hiftory to Greeks; and in their own firft attempts to relate their ftory employed the language of that people²⁸. Nævius and Enniws, who were the firft that wrote in the Latin tongue, compofed

²⁶ Cic. de Claris Oratoribus, c. 19.

²⁷ Ibid. p. 394.

²⁸ Dion. Hal. lib. i. p. 5.



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U. C. 568.

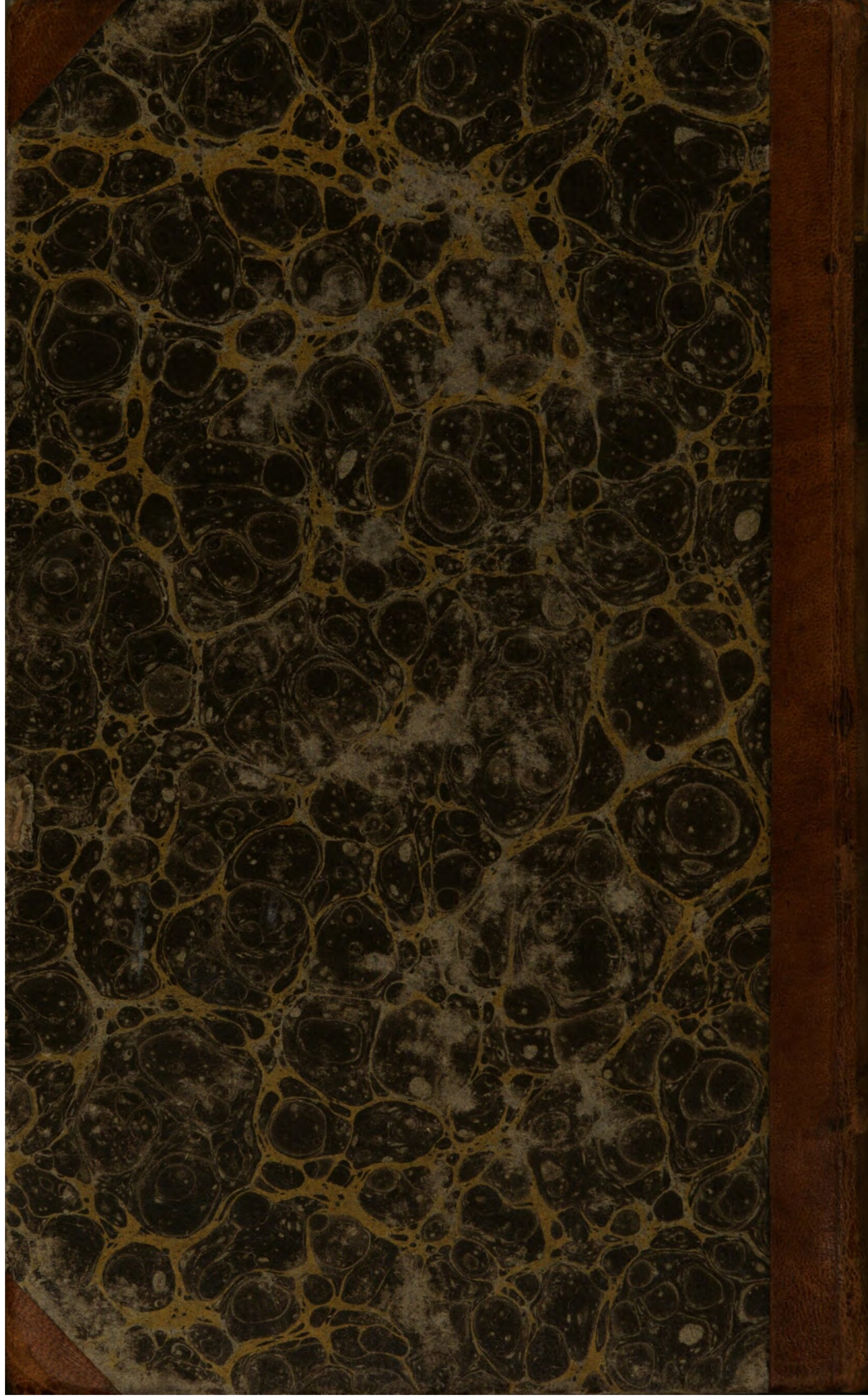
their relations in verse. Livius Andronicus, and afterwards Plautus and Terence, translated the Greek fable, and exhibited in the streets of Rome, not the Roman, but Grecian manners. The two last are said to have been persons of mean condition; the one to have subsisted by turning a baker's mill, the other to have been a captive and a slave. Both of them had probably possessed the Greek tongue as a vulgar dialect, which was yet spoken in many parts of Italy, and from this circumstance, became acquainted with the elegant compositions of Philemon and Menander²⁹. Their comedies were acted in the streets, without any seats or benches for the reception of an audience. But a nation so little studious of ordinary conveniences, and contented to borrow their literary models from neighbours, to whom, being mere imitators, they continued for ages inferior, were, however, in their political and military character, superior to all other nations whatever; and, at this date, had extended a dominion, which originally consisted of a poor village on the Tiber, to more empire and territory than is now enjoyed by any kingdom or state of Europe.

²⁹ The people of Cumæ, about this time, applied for leave to have their public acts, for the time, expressed in Latin.

END OF THE FIRST VOLUME.

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Ferguson, Adam,

The history of the progress and termination of the Roman republic

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